EXHIBIT 1

IN THE UNITED STATES DISTRICT COURT EASTERN DISTRICT OF VIRGINIA Norfolk Division In Admiralty CIVIL ACTION NO. 2:24-cv-00490

In the Matter of COEYMANS MARINE TOWING, LLC d/b/a CARVER MARINE TOWING as Owner and Operator of M/T MACKENZIE ROSE, (IMO No. 8968765), her cargo, engines, boilers, tackle, equipment, apparel, and appurtenances, etc., IN REM, ("M/T MACKENZIE ROSE"), petitioning for Exoneration from or Limitation of Liability in allision with Norfolk and Portsmouth

Belt Line Railroad Company Main Line Railroad Bridge (the "Bridge") occurring June 15, 2024 in and about the Elizabeth River, Virginia.

TRANSCRIPT of the stenographic notes of the videotaped deposition of Brian Moore in the above-entitled matter, as taken by and before LORRAINE B. ABATE, a Certified Shorthand Reporter and Notary Public of the State of New York, and Registered Professional Reporter, held at the offices of Clyde & Co., 405 Lexington Avenue, New York, New York, on April 28, 2025, commencing at 10:44 a.m., pursuant to Notice.

Job No. 112213

				April 28,	
1	Page 2 APPEARANCES:	1		I N D E X	age
2		2		2 2	
3	CRENSHAW, WARE & MARTIN, PLC	3	WITNESS	EXAMINATION BY	PAG
4	Attorneys for Norfolk and Portsmouth Belt Line Railroad Company	4	Brian Moore	Mr. Chapman	
•	150 West Main Street, Suite 1500	5	211411 110010	Mr. Rodgers	35
5	Norfolk, Virginia 23510	6		MI. Rodgers	33
_	BY: JAMES L. CHAPMAN IV, ESQ.	7		EXHIBITS	
6	(757)623-3000 jchapman@cwm-law.com			EXHIBITS	
7	Jenaphaneewn-law.com	8	EXHIBIT		PAG
8		9	Exhibit 1	Copy of Photo	6
9	CLYDE & CO. ESQS.	10	Exhibit 2	Copy of Photos	7
0	Attorneys for Coeymans Marine Towing, LLC, d/b/a Carver Marine Towing	11	Exhibit 3	9.5 Incident Report-Event	•
U	405 Lexington Avenue	12	Exhibit 4	Labelled Sections Produced by	
1	New York, New York 10174	13		Carver Listing	9
	BY: JAMES RODGERS, ESQ.	14	Exhibit 5	Crew Matrix of MACKENZIE ROSE	18
2	(212)702-6771 james.rodgers@clydeco.us	15	Exhibit 6	Daily Logs June 12-16, 2024	18
3	James.roagers@ciyaeco.us	16	Exhibit 7	Log Entries	2
1		17	Exhibit 8	Christopher Lee Miller	
5	A L S O P R E S E N T:	18		Employment Records	2
,	Ingrid Contreras, Videographer	19	Exhibit 9	Handwritten and Typed Statements	
3		20		of Christopher Lee Miller	2
)		21	Evhibit 10	Jarkeis Jamal Bass Morrissey	_
			EXHIDIC 10	-	2
		22		Employment Records	2
		23			
} <u>{</u>		24			
5		25			
	Page 3				age
1 2	ALSO PRESENT	1		EXHIBITS	
3 4	(VIA VIDEOCONFERENCE)	2	EXHIBIT		PA
± 5	CRENSHAW, WARE & MARTIN, PLC	3	Exhibit 11	Handwritten and Typed	
5	Attorneys for Norfolk and Portsmouth Belt Line Railroad Company	4		~	
	150 West Main Street, Suite 1500			Statements of	
		5		Jarkeis Jamal Bass Morrissey	2
'	Norfolk, Virginia 23510	5 6	Exhibit 12		2
	Norfolk, Virginia 23510 BY: W. RYAN SNOW, ESQ. MACKENZIE PENSYL, ESQ.		Exhibit 12	Jarkeis Jamal Bass Morrissey	
	Norfolk, Virginia 23510 BY: W. RYAN SNOW, ESQ. MACKENZIE PENSYL, ESQ. SINNOT, NUCKOLS & LOGAN, P.C.	6		Jarkeis Jamal Bass Morrissey Jason Thomas McGrath Employment	
	Norfolk, Virginia 23510 BY: W. RYAN SNOW, ESQ. MACKENZIE PENSYL, ESQ. SINNOT, NUCKOLS & LOGAN, P.C. Attorneys for Evanston Insurance Company, s/s/o Norfolk and Portsmouth	6 7		Jarkeis Jamal Bass Morrissey Jason Thomas McGrath Employment Records	2
	Norfolk, Virginia 23510 BY: W. RYAN SNOW, ESQ. MACKENZIE PENSYL, ESQ. SINNOT, NUCKOLS & LOGAN, P.C. Attorneys for Evanston Insurance	6 7 8	Exhibit 13	Jarkeis Jamal Bass Morrissey Jason Thomas McGrath Employment Records Handwritten and Typed Statements	2
	Norfolk, Virginia 23510 BY: W. RYAN SNOW, ESQ. MACKENZIE PENSYL, ESQ. SINNOT, NUCKOLS & LOGAN, P.C. Attorneys for Evanston Insurance Company, s/s/o Norfolk and Portsmouth Belt Line Railroad Company 13811 Village Mill Drive Midlothian, Virginia 23114	6 7 8 9	Exhibit 13	Jarkeis Jamal Bass Morrissey Jason Thomas McGrath Employment Records Handwritten and Typed Statements of Jason Thomas McGrath Sharif Porter Employment Records	2
	Norfolk, Virginia 23510 BY: W. RYAN SNOW, ESQ. MACKENZIE PENSYL, ESQ. SINNOT, NUCKOLS & LOGAN, P.C. Attorneys for Evanston Insurance Company, s/s/o Norfolk and Portsmouth Belt Line Railroad Company 13811 Village Mill Drive	6 7 8 9 10	Exhibit 13	Jarkeis Jamal Bass Morrissey Jason Thomas McGrath Employment Records Handwritten and Typed Statements of Jason Thomas McGrath Sharif Porter Employment Records Handwritten and Typed Statements	2 2 2
	Norfolk, Virginia 23510 BY: W. RYAN SNOW, ESQ. MACKENZIE PENSYL, ESQ. SINNOT, NUCKOLS & LOGAN, P.C. Attorneys for Evanston Insurance Company, s/s/o Norfolk and Portsmouth Belt Line Railroad Company 13811 Village Mill Drive Midlothian, Virginia 23114 BY: MARK C. NANAVATT, ESQ. (804)893-3866 mnanavati@snllaw.com	6 7 8 9 10 11	Exhibit 13 Exhibit 14 Exhibit 15	Jarkeis Jamal Bass Morrissey Jason Thomas McGrath Employment Records Handwritten and Typed Statements of Jason Thomas McGrath Sharif Porter Employment Records Handwritten and Typed Statements of Sharif Porter	2 2 2
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3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3	Norfolk, Virginia 23510 BY: W. RYAN SNOW, ESQ. MACKENZIE PENSYL, ESQ. SINNOT, NUCKOLS & LOGAN, P.C. Attorneys for Evanston Insurance Company, s/s/o Norfolk and Portsmouth Belt Line Railroad Company 13811 Village Mill Drive Midlothian, Virginia 23114 BY: MARK C. NANAVATI, ESQ. (804)893-3866 mnanavati@snllaw.com CLYDE & CO. ESQS. Attorneys for Coeymans Marine Towing, LLC, d/b/a Carver Marine Towing One North Central Avenue, Suite 1030 Phoenix, Arizona 8504 BY: RACHEL WERNER, ESQ. (480)746-4569 Rachel.werner@clydeco.us BUTLER WEIHMULLER KATZ CRAIG LLP Attorneys for Evanston Insurance Company s/s/o Norfolk and Portsmouth Belt Line Railroad Company 11525 N. Community House Road, S. 300 Charlotte, North Carolina 28277 BY: ZACHARY M. JETT, ESQ.	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Exhibit 13 Exhibit 14 Exhibit 15 Exhibit 16 Exhibit 17 Exhibit 18 Exhibit 19 Exhibit 20 Exhibit 21 Exhibit 22 Exhibit 23 Exhibit 24 Exhibit 24	Jarkeis Jamal Bass Morrissey Jason Thomas McGrath Employment Records Handwritten and Typed Statements of Jason Thomas McGrath Sharif Porter Employment Records Handwritten and Typed Statements of Sharif Porter James Morrissey's Employment Records Handwritten and Typed Statements Of Captain Morrissey Crew Hours Report CG-2692 Report Daily Engine Room Logs Helm Screenshot Handwritten Logs Handwritten Logs Ayers Marine Electronics Documents GMT Mackay Marine Invoices	2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2
77773339999999999999999999999999999999	Norfolk, Virginia 23510 BY: W. RYAN SNOW, ESQ. MACKENZIE PENSYL, ESQ. SINNOT, NUCKOLS & LOGAN, P.C. Attorneys for Evanston Insurance Company, s/s/o Norfolk and Portsmouth Belt Line Railroad Company 13811 Village Mill Drive Midlothian, Virginia 23114 BY: MARK C. NANAVATI, ESQ. (804)893-3866 mnanavati@snllaw.com CLYDE & CO. ESQS. Attorneys for Coeymans Marine Towing, LLC, d/b/a Carver Marine Towing One North Central Avenue, Suite 1030 Phoenix, Arizona 8504 BY: RACHEL WERNER, ESQ. (480)746-4569 Rachel.werner@clydeco.us BUTLER WEIHMULLER KATZ CRAIG LLP Attorneys for Evanston Insurance Company s/s/o Norfolk and Portsmouth Belt Line Railroad Company 11525 N. Community House Road, S. 300 Charlotte, North Carolina 28277 BY: ZACHARY M. JETT, ESQ. (704) 543-2321	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Exhibit 13 Exhibit 14 Exhibit 15 Exhibit 16 Exhibit 17 Exhibit 18 Exhibit 19 Exhibit 20 Exhibit 21 Exhibit 22 Exhibit 23 Exhibit 24 Exhibit 24	Jarkeis Jamal Bass Morrissey Jason Thomas McGrath Employment Records Handwritten and Typed Statements of Jason Thomas McGrath Sharif Porter Employment Records Handwritten and Typed Statements of Sharif Porter James Morrissey's Employment Records Handwritten and Typed Statements Of Captain Morrissey Crew Hours Report CG-2692 Report Daily Engine Room Logs Helm Screenshot Handwritten Logs Handwritten Logs Ayers Marine Electronics Documents	2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2

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1		EXHIBITS	Page 6	1	Page 8 Moore - April 28, 2025
2	EXHIBIT		PAGE	2	THE VIDEOGRAPHER: This is the beginning
3	Exhibit 27	Daily Log	291	3	of Media No. 1 in the deposition of Brian Moore,
4		9.2 Near Miss Report	297	4	in the master of Coeymans Marine d/b/a Carver
5	Exhibit 29	Daily Log	300	5	Marine Towing Line, Case No. 2:24-cv-00490.
6		9.2 Near Miss Report	302	6	Today's date is Monday, April 28, 2025,
7	Exhibit 31		306	7	and the time in the monitor is 10:44 a.m.
8		Training Records	308	8	My name is Ingrid Contreras, and I am
9	Exhibit 33	Vessel Survey	316	9	the videographer. The court reporter is
10	Exhibit 34	Voyage Plan	321	10	Lorraine Abate. We are here with Rosenberg and
11	Exhibit 35	Master's Daily Report	327	11	Associate, Inc.
12		Master's Daily Report	330	12	All appearances are noted on the record.
13	Exhibit 37	Master's Daily Report Log	333	13	Now the court reporter will swear in the
14		Certificate of Inspection	335	14	witness.
15		Letter dated June 20, 2024	337	15	BRIAN MOORE,
16				16	Having been first duly sworn by a Notary
17				17	Public of the State of New York, was
18	* * *	EXHIBITS RETAINED BY COUNSEL * *	*	18	examined and testified as follows:
19				19	EXAMINATION BY MR. CHAPMAN:
20				20	Q. Good morning, Mr. Moore.
21				21	A. Good morning.
22				22	Q. My name is Jim Chapman. I represent the
23				23	Norfolk and Portsmouth Belt Line Railroad, and we're
24				24	here today to ask you some questions related to the
25				25	lawsuit that is currently pending as the subject of
1		DIRECTIONS NOT TO ANSWER	Page 7	1	Page 9 Moore - April 28, 2025
2		PAGE		2	the limitation action file by your company in the
3		30		3	Eastern District of Virginia.
4		163		4	I don't know have you ever been
5		356		5	deposed before?
6				6	A. No, I have not.
7				7	Q. But just a couple of ground rules.
8				8	A. Yep.
9				9	Q. I'll do my best to ask questions that
10				10	are clear, but if they're not, feel free to ask me
11				11	for clarification and I'll endeavor to provide that.
12				12	A. Okay.
13				13	Q. It's good to maintain sort of good radio
14				14	approach to this. Let me finish my question before
15				15	you start answering, and I'll do my best to avoid
16				16	interrupting you during your answer.
17				17	A. Okay.
18				18	Q. Is that okay?
19				19	A. Very well.
20				20	Q. Okay. Where do you currently live,
21				21	Mr. Moore?
22				22	A. I currently reside in Kingston, New
23				23	York.
24				24	Q. What is the street address there?
25				25	A. 7 Fairview Avenue.
					/

				April 28, 2025
1		Page 10	1	Page 12
1 2	0	Moore - April 28, 2025 And your date of birth?	1 2	Moore - April 28, 2025
3	Q.	<u>.</u>	3	Q. All right. How long were you at Vane?
-	A.	October 13th, 1982.		A. Also approximately five years.
4	Q.	What's your current position with	4	Q. Do you start there as captain?
5	Carver?		5	A. I started out for a couple months as a
6	Α.	Current position is general manager.	6	mate, and then transitioned over to a captain.
7	Q.	So the company is known legally as I	7	Q. Do you still hold a license?
8		how to pronounce it Coeysman?	8	A. It's in Coast Guard holdup, what they
9	A.	Coeymans Marine Towing.	9	put on what do they call it? When you don't sail
10	Q.	Coeymans?	10	out anymore, you're put into not purgatory, but
11	A.	Yeah, Coeymans.	11	MR. RODGERS: Suspension?
12	Q.	Coeymans?	12	A. No. Contingency? Not contingency.
13	A.	Yep.	13	Q. Inactive?
14	Q.	Okay. Thank you.	14	A. Inactive, yea. I don't know there's
15		Coeymans Marine Towing	15	a word for it the Coast Guard uses, but it's yes,
16	A.	Yeah.	16	it's inactive, but on like ready reserve.
17	Q.	LLC, but it trades as Carver Marine	17	Q. When so what was the, I'll call it,
18	Towing, cor	rect?	18	the last expiration date of the license that's now
19	A.	Correct.	19	inactive?
20	Q.	Okay. So when I refer to Carver, I'm	20	A. Oh, approximately a year and a half ago.
21	talking abo	ut Carver Marine Towing. Is that can	21	Q. And tell us what the license was.
22	we		22	A. Sure. So I hold a 200-ton masters of
23	A.	Yes.	23	New York Coastal with a master of towing and limited
24	Q.	agree to that?	24	first class pilotage for the Hudson River in New York
25	A.	Yep.	25	Harbor.
		Page 11		Page 13
1		Moore - April 28, 2025	1	Moore - April 28, 2025
2	Q.	All right. So I'm sorry. When did	2	Q. Any other endorsements on it?
3	you say you	started with Carver?	3	
4		Source William Conference	ا ا	A. Able bodied seaman, but other than that,
	Α.	December you didn't ask that one. So	4	A. Able bodied seaman, but other than that, I did have STCW basic safety training, but I never
5		December you didn't ask that one. So		
5	Α.	December you didn't ask that one. So	4	I did have STCW basic safety training, but I never
	A. December of	December you didn't ask that one. So 2022.	4 5	I did have STCW basic safety training, but I never didn't need to take the class anymore, so I wasn't
6	A. December of	December you didn't ask that one. So 2022. And who did you work for before Carver? I worked for Centerline Logistics.	4 5 6	I did have STCW basic safety training, but I never didn't need to take the class anymore, so I wasn't shipping out international. Q. So just so everybody's clear, what does
6 7	A. December of	December you didn't ask that one. So 2022. And who did you work for before Carver?	4 5 6 7	I did have STCW basic safety training, but I never didn't need to take the class anymore, so I wasn't shipping out international.
6 7 8 9	A. December of Q. A. Q.	December you didn't ask that one. So 2022. And who did you work for before Carver? I worked for Centerline Logistics. What did you do for them?	4 5 6 7 8	I did have STCW basic safety training, but I never didn't need to take the class anymore, so I wasn't shipping out international. Q. So just so everybody's clear, what does STWC stand for? A. The standards S standard training
6 7 8	A. December of Q. A. Q. A. operations.	December you didn't ask that one. So 2022. And who did you work for before Carver? I worked for Centerline Logistics. What did you do for them? I was the director of Atlantic	4 5 6 7 8 9	I did have STCW basic safety training, but I never didn't need to take the class anymore, so I wasn't shipping out international. Q. So just so everybody's clear, what does STWC stand for?
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6 7 8 9 10 11 12 13 14 15 16 17 18	A. December of Q. A. Q. A. operations. Q. A. Q. A. Q. Centerline?	December you didn't ask that one. So 2022. And who did you work for before Carver? I worked for Centerline Logistics. What did you do for them? I was the director of Atlantic So you said Atlantic operations? Yes, sir. And how long were you with Centerline? Approximately five years. I want to take it back before that. Sure. Who did you work for prior to	4 5 6 7 8 9 10 11 12 13 14 15 16 17	I did have STCW basic safety training, but I never didn't need to take the class anymore, so I wasn't shipping out international. Q. So just so everybody's clear, what does STWC stand for? A. The standards S standard training something watch keeping. So it's an international standard set by whomever. Q. Okay. It's an endorsement that you get on the license by virtue of training, correct? A. Correct. So basic safety training is the endorsement that falls under the STCW. Q. Who did you work for before Vane? A. I worked with the Hudson River Pilots for approx just shy of two years.
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6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. December of Q. A. Q. A. operations. Q. A. Q. A. Q. A. Q. business A.	December you didn't ask that one. So 2022. And who did you work for before Carver? I worked for Centerline Logistics. What did you do for them? I was the director of Atlantic So you said Atlantic operations? Yes, sir. And how long were you with Centerline? Approximately five years. I want to take it back before that. Sure. Who did you work for prior to So I was a captain at Vane Brothers. Vane Brothers is in the towing Yes, sir. Yep.	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	I did have STCW basic safety training, but I never didn't need to take the class anymore, so I wasn't shipping out international. Q. So just so everybody's clear, what does STWC stand for? A. The standards S standard training something watch keeping. So it's an international standard set by whomever. Q. Okay. It's an endorsement that you get on the license by virtue of training, correct? A. Correct. So basic safety training is the endorsement that falls under the STCW. Q. Who did you work for before Vane? A. I worked with the Hudson River Pilots for approx just shy of two years. Q. Is that like a harbor pilot position? A. Yeah, Hudson River pilot. Yep. Q. Guiding ships in A. Yes, sir.
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6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A. December of Q. A. Q. A. operations. Q. A. Q. A. Q. Centerline? A. Q. business A. Q.	December you didn't ask that one. So 2022. And who did you work for before Carver? I worked for Centerline Logistics. What did you do for them? I was the director of Atlantic So you said Atlantic operations? Yes, sir. And how long were you with Centerline? Approximately five years. I want to take it back before that. Sure. Who did you work for prior to So I was a captain at Vane Brothers. Vane Brothers is in the towing Yes, sir. Yep oil? Yep. Marine transportation for	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	I did have STCW basic safety training, but I never didn't need to take the class anymore, so I wasn't shipping out international. Q. So just so everybody's clear, what does STWC stand for? A. The standards S standard training something watch keeping. So it's an international standard set by whomever. Q. Okay. It's an endorsement that you get on the license by virtue of training, correct? A. Correct. So basic safety training is the endorsement that falls under the STCW. Q. Who did you work for before Vane? A. I worked with the Hudson River Pilots for approx just shy of two years. Q. Is that like a harbor pilot position? A. Yeah, Hudson River pilot. Yep. Q. Guiding ships in A. Yes, sir. Q in and out, guiding ships in and out

				April 28, 2025
		Page 14	_	Page 16
1	Moore - April 28	, 2025	1	Moore - April 28, 2025
2	Q. How long was that?		2	three months. I was still in high school at the
3	A. Just shy of two year	rs.	3	time. And I rode with them, observed them to kind of
4	Q. Same license?		4	see if I wanted to do deep sea or tugs and barges.
5	A. Yes.		5	Q. Do you consider yourself more of a brown
6		iver Pilots, who did	6	water guy
7	you work for?		7	A. Yes.
8	A. I worked for K-Sea	-	8	Q than blue water?
9	Q. And K-Sea is K-C		9	A. Yeah.
10	A. Hyphen.		10	Q. Okay. Your position as general manager
11	Q K-C, the two let		11	with Carver, is that a salaried or hourly position?
12	A. So it's K-S-E-A.		12	A. It's salary.
13	Q. S-E-A. I apologize	· [13	Q. Who hired you?
14	A. Yeah.		14	A. Carver Laraway.
15	Q. K-Sea. Doing what?		15	Q. Is that Mr. Carver Laraway?
16	A. Chief mate and hark	or and ocean-going	16	A. Yeah, but it was by way of HR.
17	tug and barge.		17	Q. Can you tell us what the duties of your
18	Q. When did you get yo		18	position as general manager
19	A. Early 2000s. I don	't recall.	19	A. Sure.
20	Q. Did you sail for an	· ·	20	Q of Carver are.
21	Transportation?		21	MR. RODGERS: I'm sorry. At the time of
22	A. Not in a profession		22	the incident or now?
23	shipped out in Norway for three		23	Q. Why don't we start with now, and then
24	cadet observer, in '99 to 2000,	and then before that,	24	I'll ask if they're different, you can tell me how
25	it was just small, recreational	boat stuff, sea tow,	25	they're different. Okay?
		Page 15		Page 17
1	Moore - April 28	, 2025	1	Moore - April 28, 2025
2	when I was in high school.		2	So just what are your duties now?
3	Q. So did you grow up	in the United States?	3	A. Sure. I oversee the day-to-day
4	A. Yes.		4	operations of Carver Marine Towing, working with my
5	Q. It sounds like you	went to a maritime	5	team that I have here in place to ensure that the
6	academy over in Europe?		6	daily activities are done, that the regulations and
7	A. I did not. No. I		7	policies are complied with, that customer and
8	Hawespiper, so I started so o		8	business development is grown, and then also working
9	took me down to the battery for		9	interdepartmentally with the other divisions from the
10	Center, and I got my 100-ton lic		10	ports to other stevedoring to ensure that
11	was, and my ordinary seaman MMC,	_	11	everything's done safely and efficiently throughout
12	that was October. And then by F		12	day-to-day operations.
13	shipping out with K-Sea Transpor		13	Q. How many tugs does Carver Marine Towing
14	Q. Did your father sai		14	operate?
15			15	A. Eight of them are going to be US Coast
16	out		16	Guard inspected, and then we have two small, we call
	Q. Okay. And you		17	them, fleeting tugs that are 26 feet or less. Those
17		side.	18	are just based in the port to help support moving
18	A from my mother's			
18 19	Q. So you described yo	urself as being a	19	barges around from one side of the dock to the other.
18 19 20	Q. So you described you cadet for three months or so?	urself as being a	20	Q. Kind of like push boats?
18 19 20 21	Q. So you described you cadet for three months or so? A. It's a more like	urself as being a	20 21	Q. Kind of like push boats? A. Exactly.
18 19 20 21 22	Q. So you described you cadet for three months or so? A. It's a more like observer. My sorry. My uncl	urself as being a	20 21 22	Q. Kind of like push boats?A. Exactly.Q. Are the duties you have today different
18 19 20 21 22 23	Q. So you described you cadet for three months or so? A. It's a more like observer. My sorry. My uncle engineer on board a European Nor	urself as being a it was a cadet e was a chief wegian-based ship.	20 21 22 23	Q. Kind of like push boats? A. Exactly. Q. Are the duties you have today different than the duties you had in June of 2024?
18 19 20 21 22	Q. So you described you cadet for three months or so? A. It's a more like observer. My sorry. My uncl	urself as being a it was a cadet e was a chief wegian-based ship. o do in life as a 17,	20 21 22	Q. Kind of like push boats?A. Exactly.Q. Are the duties you have today different

1		Page 18		Page 20
1	-1	Moore - April 28, 2025	1	Moore - April 28, 2025
2		r, and if you did, I apologize, but I	2	to you?
3	didn't I	don't think I heard that.	3	A. We had a fairly new hire, Jason Galioto,
4		Is that a responsibility that you have?	4	G-A-L-I-O-T-O.
5	Α.	Yes. Yep. So compliance. I	5	Q. What was Mr. Galioto's position?
6	_	that with compliance and safety.	6	A. During that time, it was I hired him
7	Q.	All right. And how are there people	7	as a dispatch I'm sorry, correction. A logistics
8		rine Towing that report directly to you?	8	coordinator trainee and vetting.
9	A.	Yes.	9	Q. So he was responsible for, I'm sorry,
10	Q.	Who are they, and what are their	10	training?
11	positions?		11	A. No. So he a logistics coordinator
12	A.	In today or during the incident?	12	training. So almost like a fill-in dispatcher that
13	Q.	Let's focus on the incident that is back	13	would receive phone calls and work with customers in
14	in June of 2	2024.	14	dispatching tugs.
15	A.	Okay. So I had a port captain, Lenny	15	Q. Did he have any other duties?
16	Baldassare.	I had a port engineer, Christian	16	A. I say vetting, but that was more of a
17	Nunnaman.		17	Coast Guard regulatory compliance, ABS compliance.
18	Q.	Can you spell that.	18	Q. Vetting of what?
19	A.	N-U-N-N-A-M-A-N.	19	A. Vetting of the vessels, like the
20	Q.	And it was Christian? Is it C-H-R-I?	20	paperwork that's associated with it.
21	A.	Yes.	21	Q. Just give me a for instance, what you
22	Q.	I know that Mr. Baldassare isn't with	22	mean by the paperwork.
23	the company	anymore.	23	A. Well, he's advanced. I've groomed him
24	A.	Yeah.	24	into a different role now, but at the time, he was a
25	Q.	Is I'm going to butcher the	25	fairly new hire. So I don't recall his hire date,
1		Page 19		Page 21
1		Page 19 Moore - April 28, 2025	1	Page 21 Moore - April 28, 2025
1 2	pronunciatio		1	
	pronunciatio	Moore - April 28, 2025	1	Moore - April 28, 2025
2		Moore - April 28, 2025	1 2	Moore - April 28, 2025 but I would have to look at it. But he was mainly
2 3	Nunnaman?	Moore - April 28, 2025 on. The port engineer, Christian	1 2 3	Moore - April 28, 2025 but I would have to look at it. But he was mainly then concentrating on dispatch and learning that.
2 3 4	Nunnaman?	Moore - April 28, 2025 on. The port engineer, Christian	1 2 3 4	Moore - April 28, 2025 but I would have to look at it. But he was mainly then concentrating on dispatch and learning that. Q. I'm just trying to understand when you
2 3 4 5	Nunnaman? A. Q.	Moore - April 28, 2025 on. The port engineer, Christian Nunnaman. Nunnaman, is he still with the company? Yes. He's in a different division right	1 2 3 4 5	Moore - April 28, 2025 but I would have to look at it. But he was mainly then concentrating on dispatch and learning that. Q. I'm just trying to understand when you say vetting of vessels, what paperwork would he be
2 3 4 5 6	Nunnaman? A. Q. A.	Moore - April 28, 2025 on. The port engineer, Christian Nunnaman. Nunnaman, is he still with the company? Yes. He's in a different division right	1 2 3 4 5 6	Moore - April 28, 2025 but I would have to look at it. But he was mainly then concentrating on dispatch and learning that. Q. I'm just trying to understand when you say vetting of vessels, what paperwork would he be responsible for reviewing?
2 3 4 5 6 7	Nunnaman? A. Q. A. now, though.	Moore - April 28, 2025 on. The port engineer, Christian Nunnaman. Nunnaman, is he still with the company? Yes. He's in a different division right	1 2 3 4 5 6 7	Moore - April 28, 2025 but I would have to look at it. But he was mainly then concentrating on dispatch and learning that. Q. I'm just trying to understand when you say vetting of vessels, what paperwork would he be responsible for reviewing? A. It's so it's pretty much making sure
2 3 4 5 6 7 8	Nunnaman? A. Q. A. now, though. Q.	Moore - April 28, 2025 on. The port engineer, Christian Nunnaman. Nunnaman, is he still with the company? Yes. He's in a different division right He's no longer with Marine Towing	1 2 3 4 5 6 7 8	Moore - April 28, 2025 but I would have to look at it. But he was mainly then concentrating on dispatch and learning that. Q. I'm just trying to understand when you say vetting of vessels, what paperwork would he be responsible for reviewing? A. It's so it's pretty much making sure that all our COIs are up to date, make sure the load
2 3 4 5 6 7 8 9	Nunnaman? A. Q. A. now, though. Q. A.	Moore - April 28, 2025 on. The port engineer, Christian Nunnaman. Nunnaman, is he still with the company? Yes. He's in a different division right He's no longer with Marine Towing	1 2 3 4 5 6 7 8 9	Moore - April 28, 2025 but I would have to look at it. But he was mainly then concentrating on dispatch and learning that. Q. I'm just trying to understand when you say vetting of vessels, what paperwork would he be responsible for reviewing? A. It's so it's pretty much making sure that all our COIs are up to date, make sure the load line inspections are up to date; and we recently
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		Page 22			Page 24
1	_	Moore - April 28, 2025	1	0	Moore - April 28, 2025
2	Α.	Yes.	2	Q.	I heard you say that one of your
3	Q.	And you told us Jason Galioto has moved	3		lities is business development. Did I get
4		er role or another division?	4	that correc	
5	Α.	No. He's still with under my he's	5	Α.	Correct. Yep.
6		my org chart.	6	Q.	So kind of like a almost a sales role
7	Q.	Okay. Does he have a different role?	7	or	
8	Α.	I believe his title is now marine safety	8	A.	Right. Correction. Also, I had Dillon
9	and complia		9	Galm also w	working underneath me at the time.
10	Q.	When did he take on that role?	10	Q.	Okay.
11	A.	I don't know, off the top of my head.	11	A.	He's a business development manager for
12	Q.	Sometime after the incident in June of	12	Carver Mari	ine Towing, and some other divisions as
13	2024 with t	ne Belt Line Bridge?	13	well, too.	
14	A.	Correct.	14		MR. RODGERS: Sorry
15	Q.	Was there anybody that had a	15	Q.	Dillon
16	responsibil	ity for marine safety and compliance that	16		MR. RODGERS: you're talking I'm
17	reported to	you in June of 2024?	17	sorry	y. Jim, are you talking about at the time?
18	A.	There was no direct position for that.	18	Is th	nat the question?
19	Q.	Are both of the dispatchers still	19		THE WITNESS: Correct.
20	working for	Carver?	20	A.	So he's still employed with us, but at
21	A.	One is. William Gedney.	21	the time, y	yeah, Dillon Galm also fell underneath me
22	Q.	Okay. All right. Do you still have two	22	as well.	
23	dispatchers		23	Q.	How do you spell his last name?
24	Α.	We actually have two dispatchers now and	24	A.	G-A-L-M.
25	a senior lo	gistics coordinator that oversees them.	25	٥.	Does he still have that role?
1		Page 23 Moore - April 28, 2025	1		Page 25 Moore - April 28, 2025
2	Q.	Okay. And who is that?	2	Α.	Yes.
3	Α.	He's Kevin Twomey, T-W-O-M-E-Y.	3	0.	So do you consider yourself to have
4	Q.	Are you the manager of the limited	4	~	t's generally called P&L responsibility for
5	-	ompany? Again, I'm going to butcher the	5	Carver Mari	
6			6	A.	Yes.
	name, Coeys		7		Okay. And by that, I mean profit and
7		That's close. It's Coeysman.	'	Q.	
	Q.	Coeysman?	8	loss respon	
9	Α.	Yes. Carver Marine Towing, yeah.	9	Α.	Yes, sir.
10	Q.	Yeah.	10	Q.	It sounds like it operates as a division
11	Α.	Coeysman Marine Towing, LLC.	11		Carver entity or a Carver holding
12	Q.	Yes.	12		s that fair?
13	Α.	Yes, I'm the general manager of that.	13	Α.	Correct.
14	Q.	Okay. Do you know what the my	14	Q.	And so you have to be profitable to kind
15	question's	a little bit different.	15	of report u	up to the holding company, right?
16		Are you the manager? There's a distinct	16	A.	Yep.
17	title for l	imited liability companies.	17	Q.	Okay. Who do you report to?
18	A.	Oh.	18	A.	I report to Nick Laraway.
19	Q.	Are you the manager?	19	Q.	And is he related to Carver Laraway?
20	A.	No. No, sir.	20	A.	Yes. I believe he is a nephew.
21	Q.	Do you know who is?	21	Q.	Do you know what his position is? That
22	A.	I do not know off the top of my head.	22	is, do you	know what Nick Laraway's position is?
1	Q.	Do you know if there are any officers of	23	A.	Chief operations officer.
23	Q.				
23 24	Carver Mari	ne Towing?	24	Q.	And
		ne Towing? I do not know.	24 25	Q.	And MR. RODGERS: And again, is this then or

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1		Page 2			Page 28 Moore - April 28, 2025
2	now?	Moore - April 28, 2025 I just want it to be clear.	1 2	^	Moore - April 28, 2025 15 Pro?
3	11OW?	MR. CHAPMAN: Fair question.	3	Q.	Yeah.
4	0	<u>-</u>	4	A.	
5	Q.	That's now, right?		Q.	Besides Nick Laraway, is there anybody
6	A.	At the time it was chief operations	5		ou report to in your role as general
7		d I'd I would still say the same, yes. Okay. And the gentleman you said hired	7		Carver Marine Towing?
	Q.			A.	No.
8	•	rver Laraway?	8	Q.	Can you approve payment of invoices?
9	A.	I interviewed with Carver.	9	A.	Yes.
10	Q.	Okay. What was his position when you	10	Q.	Is there any limit to what you can
11	interviewed		11		o you have to get permission from anybody
12	A.	CEO.	12		ve a certain amount?
13	Q.	And his maybe it's his nephew, but	13	Α.	There are certain thresholds that
14		y, who's the chief operating officer, is	14		into place with higher limits, but at the
15		l of the Carver divisions?	15	-	s during the incident, there was no
16	Α.	Yes, sir.	16	limits.	
17	Q.	Do the two of you communicate with	17	Q.	Okay. Can you hire people to work for
18	e-mail?		18	Carver Mari	3
19	A.	Yeah. E-mails, phone calls, in-persons.	19	A.	I can recommend, then that then goes
20	Q.	And what is Nick Laraway's e-mail	20	through HR.	
21	address?		21	Q.	And is the HR function like part of the
22	A.	It's N, like November, Laraway,	22		pany of Carver or is it do you guys
23	L-A-R-A-W-A	-Y, @carvercompanies.com.	23	have your o	wn kind of HR person at Carver Marine
24	Q.	You said you also speak to him. Do you	24	Towing?	
25	also text w	ith him?	25	A.	It would be part of the holding company.
		Page 2	7		Page 29
1		Page 2' Moore - April 28, 2025	1		Page 29 Moore - April 28, 2025
1 2	Α.			Q.	
	A. Q.	Moore - April 28, 2025	1	~	Moore - April 28, 2025
2		Moore - April 28, 2025 Yeah.	1 2	~	Moore - April 28, 2025 And the opposite end of that question,
2 3	Q.	Moore - April 28, 2025 Yeah.	1 2 3	can you ter	Moore - April 28, 2025 And the opposite end of that question, minate people from Carver Marine Towing?
2 3 4	Q.	Moore - April 28, 2025 Yeah. Do you know what his cell phone number	1 2 3 4	can you ter A. Q.	Moore - April 28, 2025 And the opposite end of that question, minate people from Carver Marine Towing? By way of HR.
2 3 4 5	Q. is? A. Q.	Moore - April 28, 2025 Yeah. Do you know what his cell phone number I don't, off the top of my head.	1 2 3 4 5	can you ter A. Q.	Moore - April 28, 2025 And the opposite end of that question, minate people from Carver Marine Towing? By way of HR. So if you wanted to hire somebody and
2 3 4 5 6	Q. is? A. Q.	Moore - April 28, 2025 Yeah. Do you know what his cell phone number I don't, off the top of my head. Do you guys use any other written	1 2 3 4 5 6	can you ter A. Q. said hire t A.	Moore - April 28, 2025 And the opposite end of that question, minate people from Carver Marine Towing? By way of HR. So if you wanted to hire somebody and hem, would they then hire that person?
2 3 4 5 6 7	Q. is? A. Q. messaging s	Moore - April 28, 2025 Yeah. Do you know what his cell phone number I don't, off the top of my head. Do you guys use any other written ystems like Signal or WhatsApp or	1 2 3 4 5 6 7	can you ter A. Q. said hire t A.	Moore - April 28, 2025 And the opposite end of that question, minate people from Carver Marine Towing? By way of HR. So if you wanted to hire somebody and hem, would they then hire that person? They would go through the process and
2 3 4 5 6 7 8	Q. is? A. Q. messaging s	Moore - April 28, 2025 Yeah. Do you know what his cell phone number I don't, off the top of my head. Do you guys use any other written ystems like Signal or WhatsApp or No.	1 2 3 4 5 6 7 8	can you ter A. Q. said hire t A. then escala	Moore - April 28, 2025 And the opposite end of that question, minate people from Carver Marine Towing? By way of HR. So if you wanted to hire somebody and hem, would they then hire that person? They would go through the process and te it to the next level.
2 3 4 5 6 7 8	Q. is? A. Q. messaging s A. Q.	Moore - April 28, 2025 Yeah. Do you know what his cell phone number I don't, off the top of my head. Do you guys use any other written ystems like Signal or WhatsApp or No. those?	1 2 3 4 5 6 7 8 9	can you ter A. Q. said hire t A. then escala	Moore - April 28, 2025 And the opposite end of that question, minate people from Carver Marine Towing? By way of HR. So if you wanted to hire somebody and hem, would they then hire that person? They would go through the process and te it to the next level. Have you ever been turned down on a hire
2 3 4 5 6 7 8 9	Q. is? A. Q. messaging s A. Q. A. Q.	Moore - April 28, 2025 Yeah. Do you know what his cell phone number I don't, off the top of my head. Do you guys use any other written ystems like Signal or WhatsApp or No. those? No.	1 2 3 4 5 6 7 8 9	can you ter A. Q. said hire t A. then escala Q. that you've	Moore - April 28, 2025 And the opposite end of that question, minate people from Carver Marine Towing? By way of HR. So if you wanted to hire somebody and hem, would they then hire that person? They would go through the process and te it to the next level. Have you ever been turned down on a hire recommended?
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q. is? A. Q. messaging s A. Q. A. Q. using the S A. Q. phone? A. Q. from June o A.	Moore - April 28, 2025 Yeah. Do you know what his cell phone number I don't, off the top of my head. Do you guys use any other written ystems like Signal or WhatsApp or No. those? No. So if you're texting with him, you're MS system Correct. on your cell phone? Okay. Does the company provide you with a cell It's my personal cell phone. Do you still have the same cell phone f 2024 that you have today?	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	can you ter A. Q. said hire t A. then escala Q. that you've A. Q. worked for A. Q. termination A. Q. the Carver	Moore - April 28, 2025 And the opposite end of that question, minate people from Carver Marine Towing? By way of HR. So if you wanted to hire somebody and hem, would they then hire that person? They would go through the process and te it to the next level. Have you ever been turned down on a hire recommended? I don't recall. Have you had to terminate anybody who Carver Marine Towing? I have, yes. And have you ever been turned down on a recommendation? No, sir. Do you hold any other positions inside organization besides general manager of
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Q. is? A. Q. messaging s A. Q. A. Q. using the S A. Q. phone? A. Q. from June o A. iPhones, ju Q. A.	Moore - April 28, 2025 Yeah. Do you know what his cell phone number I don't, off the top of my head. Do you guys use any other written ystems like Signal or WhatsApp or No. those? No. So if you're texting with him, you're MS system Correct. on your cell phone? Okay. Does the company provide you with a cell It's my personal cell phone. Do you still have the same cell phone f 2024 that you have today? No. It's been upgraded to different st through the family plan. So you have an iPhone? Yes.	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	can you ter A. Q. said hire t A. then escala Q. that you've A. Q. worked for A. Q. termination A. Q. the Carver Carver Mari A. Q. A.	Moore - April 28, 2025 And the opposite end of that question, minate people from Carver Marine Towing? By way of HR. So if you wanted to hire somebody and hem, would they then hire that person? They would go through the process and te it to the next level. Have you ever been turned down on a hire recommended? I don't recall. Have you had to terminate anybody who Carver Marine Towing? I have, yes. And have you ever been turned down on a recommendation? No, sir. Do you hold any other positions inside organization besides general manager of me Towing? No, sir. When did Mr. Baldassare leave Carver? I don't recall off the top of my head.

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1	Da 20		April 28, 2025
1	Page 30 Moore - April 28, 2025	1	Page 32 Moore - April 28, 2025
2	(DIR)	2	tomorrow morning for deposition.
3	MR. RODGERS: Don't answer that. That	3	MR. CHAPMAN: Yeah.
4	is I'm directing the witness not to answer.	4	I think I'm entitled to test this
5	And by way of counsel, you can put in a	5	witness' knowledge, though.
6	demand and we'll take it under advisement.	6	MR. RODGERS: No, no. You are. I'm
7	Concerned about employment law here and also	7	just putting that on the record for the lone
8	potential agreements that may have been signed,	8	reader out there who's reading this one day.
9	for Mr. Baldassare's sake.	9	Q. When was the last time you communicated
10	MR. CHAPMAN: I'm not understanding what	10	with Mr. Baldassare?
11	you're saying.	11	A. I wished him a happy birthday.
12	MR. RODGERS: Well, I'm just putting	12	O. And that was?
13	that on the record.	13	A. That was actually yesterday.
14	MR. CHAPMAN: Is there a privilege in	14	Q. Did you text him happy birthday or did
			you call him and tell him happy birthday?
15	play?	15 16	1 111 1
16	MR. RODGERS: I'm directing him not to		A. I texted him happy birthday.
17	answer.	17	But other than that, before that, it
18	MR. CHAPMAN: Okay. But is there a	18	was we haven't spoken prior to him leaving.
19	privilege that you're standing on?	19	Q. So you
20	MR. RODGERS: There's federal law that's	20	A. I'm sorry, correction. I didn't speak
21	involved with HR	21	to him post leaving.
22	MR. CHAPMAN: It's	22	Q. Okay. So between whenever he left three
23	MR. RODGERS: in any termination.	23	months ago and your text to him yesterday about happy
24	MR. CHAPMAN: So under Rule 32, you can	24	birthday wishing him a happy birthday, there's
25	direct a witness not to answer if it is based on	25	been no communication between the two of you?
	Page 31		Page 33
1			
1	Moore - April 28, 2025	1	Moore - April 28, 2025
2	the preservation of	2	Moore - April 28, 2025 A. Yes, sir.
	the preservation of MR. RODGERS: Don't Jim, don't		Moore - April 28, 2025 A. Yes, sir. Q. And I just want to be clear. That's
2	the preservation of	2	Moore - April 28, 2025 A. Yes, sir.
2	the preservation of MR. RODGERS: Don't Jim, don't	2 3	Moore - April 28, 2025 A. Yes, sir. Q. And I just want to be clear. That's
2 3 4	the preservation of MR. RODGERS: Don't Jim, don't lecture me. I'm telling him not to answer.	2 3 4	Moore - April 28, 2025 A. Yes, sir. Q. And I just want to be clear. That's you mentioned a text, but you haven't spoken to him
2 3 4 5	the preservation of MR. RODGERS: Don't Jim, don't lecture me. I'm telling him not to answer. That's what I'm telling him not to answer.	2 3 4 5	Moore - April 28, 2025 A. Yes, sir. Q. And I just want to be clear. That's you mentioned a text, but you haven't spoken to him either, correct?
2 3 4 5 6	the preservation of MR. RODGERS: Don't Jim, don't lecture me. I'm telling him not to answer. That's what I'm telling him not to answer. Okay?	2 3 4 5 6	Moore - April 28, 2025 A. Yes, sir. Q. And I just want to be clear. That's you mentioned a text, but you haven't spoken to him either, correct? A. No, sir.
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2 3 4 5 6 7 8 9 10 11 12 13 14	the preservation of MR. RODGERS: Don't Jim, don't lecture me. I'm telling him not to answer. That's what I'm telling him not to answer. Okay? Q. And just to be clear, are you going to follow Mr. Rodgers' direction not to answer MR. RODGERS: Yes. Q that question? MR. RODGERS: Yes, he is. A. Yes. Q. Do you know whether Mr. Baldassare was terminated from Carver? A. I do not know.	2 3 4 5 6 7 8 9 10 11 12 13 14	Moore - April 28, 2025 A. Yes, sir. Q. And I just want to be clear. That's you mentioned a text, but you haven't spoken to him either, correct? A. No, sir. Q. Or e-mailed with him? A. No. Q. Did you provide a reference for him when he left the company? A. No. He did not request it. Q. Do you know if the company provided a reference for him? A. I do not know. Q. Do you know if he is in a do not hire
2 3 4 5 6 7 8 9 10 11 12 13 14 15	the preservation of MR. RODGERS: Don't Jim, don't lecture me. I'm telling him not to answer. That's what I'm telling him not to answer. Okay? Q. And just to be clear, are you going to follow Mr. Rodgers' direction not to answer MR. RODGERS: Yes. Q that question? MR. RODGERS: Yes, he is. A. Yes. Q. Do you know whether Mr. Baldassare was terminated from Carver? A. I do not know. Q. Do you know whether he was asked to	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Moore - April 28, 2025 A. Yes, sir. Q. And I just want to be clear. That's you mentioned a text, but you haven't spoken to him either, correct? A. No, sir. Q. Or e-mailed with him? A. No. Q. Did you provide a reference for him when he left the company? A. No. He did not request it. Q. Do you know if the company provided a reference for him? A. I do not know. Q. Do you know if he is in a do not hire classification since leaving Carver?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	the preservation of MR. RODGERS: Don't Jim, don't lecture me. I'm telling him not to answer. That's what I'm telling him not to answer. Okay? Q. And just to be clear, are you going to follow Mr. Rodgers' direction not to answer MR. RODGERS: Yes. Q that question? MR. RODGERS: Yes, he is. A. Yes. Q. Do you know whether Mr. Baldassare was terminated from Carver? A. I do not know. Q. Do you know whether he was asked to resign from Carver?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Moore - April 28, 2025 A. Yes, sir. Q. And I just want to be clear. That's you mentioned a text, but you haven't spoken to him either, correct? A. No, sir. Q. Or e-mailed with him? A. No. Q. Did you provide a reference for him when he left the company? A. No. He did not request it. Q. Do you know if the company provided a reference for him? A. I do not know. Q. Do you know if he is in a do not hire classification since leaving Carver? MR. RODGERS: I didn't hear that, Jim. MR. CHAPMAN: I asked do you know if he
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	the preservation of MR. RODGERS: Don't Jim, don't lecture me. I'm telling him not to answer. That's what I'm telling him not to answer. Okay? Q. And just to be clear, are you going to follow Mr. Rodgers' direction not to answer MR. RODGERS: Yes. Q that question? MR. RODGERS: Yes, he is. A. Yes. Q. Do you know whether Mr. Baldassare was terminated from Carver? A. I do not know. Q. Do you know whether he was asked to resign from Carver? A. I do not know.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Moore - April 28, 2025 A. Yes, sir. Q. And I just want to be clear. That's you mentioned a text, but you haven't spoken to him either, correct? A. No, sir. Q. Or e-mailed with him? A. No. Q. Did you provide a reference for him when he left the company? A. No. He did not request it. Q. Do you know if the company provided a reference for him? A. I do not know. Q. Do you know if he is in a do not hire classification since leaving Carver? MR. RODGERS: I didn't hear that, Jim. MR. CHAPMAN: I asked do you know if he
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	the preservation of MR. RODGERS: Don't Jim, don't lecture me. I'm telling him not to answer. That's what I'm telling him not to answer. Okay? Q. And just to be clear, are you going to follow Mr. Rodgers' direction not to answer MR. RODGERS: Yes. Q that question? MR. RODGERS: Yes, he is. A. Yes. Q. Do you know whether Mr. Baldassare was terminated from Carver? A. I do not know. Q. Do you know whether he was asked to resign from Carver? A. I do not know. Q. Do you know where he's working now? A. I believe he's working for H&L. Q. What is H&L?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Moore - April 28, 2025 A. Yes, sir. Q. And I just want to be clear. That's you mentioned a text, but you haven't spoken to him either, correct? A. No, sir. Q. Or e-mailed with him? A. No. Q. Did you provide a reference for him when he left the company? A. No. He did not request it. Q. Do you know if the company provided a reference for him? A. I do not know. Q. Do you know if he is in a do not hire classification since leaving Carver? MR. RODGERS: I didn't hear that, Jim. MR. CHAPMAN: I asked do you know if he is in a do not hire classification since he left Carver. A. I do not know. Q. Who is the person that heads HR for the

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				April 28, 202
1	Pa q Moore - April 28, 2025	ge 34 1		Page 36 Moore - April 28, 2025
2	A. Samantha Galliazano [sic]. I need to		Q.	Was he ever terminated from employment
3	reference the how to spell her last name.	3	by Carver?	hab he ever cerminated from employment
4	G-A-L-I-Z-O.	4	A.	I don't know.
5	O. G-A-L-I-D-O?	5	Q.	Do you know if he was ever asked to
6	A. Z-O.	6	resign?	20 Total series and the desired to
7	O. Z-O. Galliazo?	7	A.	No.
8	A. Not correct, but it's close.	8		MR. RODGERS: I'm going to, again,
9	Q. Okay. And was there a different personal		direc	et him not to answer on
10	there in June of 2024?	10		MR. CHAPMAN: About Miller?
11	A. Yes.	11		MR. RODGERS: Yeah, but Miller wasn't
12	Q. Who?	12	termi	nated. He just testified that he was on
13	A. Tom Biden.	13		, and then he passed away, which we just
14	Q. Can you spell his last	14		lout as well.
L5	A. I'm sorry, correction. Tom Marron,	15	٥.	So let me move on to Captain Morrissey.
L6	M-A-R-R-O-N.	16	~ A.	Okay.
.7	Q. Does Mr. Marron still have a position	17	٥.	When did Captain Morrissey leave the
18	within the Carver organization?	18	employment	
L9	A. He does not.	19	A.	Shortly after the incident, he was
20	Q. There's three other people in particular	lar 20	placed on p	aid suspension pending an investigation.
21	I want to ask you some similar questions about that	t 21	Q.	So he completed the voyage with the
2	were all assigned to the tug, MACKENZIE ROSE, on	22	barge up to	wherever its destination was, and then he
13	June 15th of 2024 when the incident happened.	23	went on adm	in leave?
24	That's Captain Miller, Captain	24	A.	Correct.
25	Morrissey, and the engineer, McGrath.	25	Q.	Okay. And did he ever come off admin
	Do	70.25		Page 27
1	Moore - April 28, 2025	ge 35 1		Page 37 Moore - April 28, 2025
2	A. Okay.	2	leave?	
3	-			I he never came he never went back
	Q. Okay. They're all gone from Carver	3	A.	I He Hever Calle He Hever Wellt Dack
4		3 4		r that incident with us. I don't know if
4 5	Q. Okay. They're all gone from Carver Marine Towing now? A. Yes, sir.		to sea afte	
	Marine Towing now? A. Yes, sir.	4	to sea afte	r that incident with us. I don't know if
5	Marine Towing now? A. Yes, sir.	4 5	to sea afte	r that incident with us. I don't know if cially termed or what his role was, also shipped out somewhere else for a
5	Marine Towing now? A. Yes, sir. Q. Okay. Do you know when Miller left	4 5 6 7	to sea afte he was offi because he different o	r that incident with us. I don't know if cially termed or what his role was, also shipped out somewhere else for a company.
5 6 7	Marine Towing now? A. Yes, sir. Q. Okay. Do you know when Miller left Carver?	4 5 6 7	to sea afte he was offi because he	r that incident with us. I don't know if cially termed or what his role was, also shipped out somewhere else for a company.
5 6 7 8 9	Marine Towing now? A. Yes, sir. Q. Okay. Do you know when Miller left Carver? A. I would have to reference it, but it	4 5 6 7 was 8 9	to sea afte he was offi because he different o	r that incident with us. I don't know if cially termed or what his role was, also shipped out somewhere else for a company. And what company was that?
5 6 7 8 9	Marine Towing now? A. Yes, sir. Q. Okay. Do you know when Miller left Carver? A. I would have to reference it, but it close to October or November of 2024. He didn't	4 5 6 7 8 9 10	to sea afte he was offi because he different o	r that incident with us. I don't know if cially termed or what his role was, also shipped out somewhere else for a company. And what company was that? I don't recall off the top of my head. 1 petroleum products carrying company in
5 6 7 8 9	Marine Towing now? A. Yes, sir. Q. Okay. Do you know when Miller left Carver? A. I would have to reference it, but it to close to October or November of 2024. He didn't leave Carver then. He was the his vessel was	4 5 6 7 8 9 s 10 ot 11	to sea after he was offit because he different of Q. A. It's a small	r that incident with us. I don't know if cially termed or what his role was, also shipped out somewhere else for a company. And what company was that? I don't recall off the top of my head. 1 petroleum products carrying company in
5 6 7 8 9 .0 .1	Marine Towing now? A. Yes, sir. Q. Okay. Do you know when Miller left Carver? A. I would have to reference it, but it is close to October or November of 2024. He didn't leave Carver then. He was the his vessel was going into shipyard, so we didn't have an extra sp	4 5 6 7 8 9 s 10 of 12	to sea after he was office because he different of Q. A. It's a small New York Ha	r that incident with us. I don't know if cially termed or what his role was, also shipped out somewhere else for a company. And what company was that? I don't recall off the top of my head. l petroleum products carrying company in rbor.
5 6 7 8 9 .0 .1 .2	Marine Towing now? A. Yes, sir. Q. Okay. Do you know when Miller left Carver? A. I would have to reference it, but it of close to October or November of 2024. He didn't leave Carver then. He was the his vessel was going into shipyard, so we didn't have an extra spe for him, so he was just off for an extended period	4 5 6 7 8 9 s 10 of 12	to sea after he was offit because he different of Q. A. It's a small New York Ha	r that incident with us. I don't know if cially termed or what his role was, also shipped out somewhere else for a company. And what company was that? I don't recall off the top of my head. 1 petroleum products carrying company in rbor. And where is it located?
5 6 7 8 9 .0 .1 .2	Marine Towing now? A. Yes, sir. Q. Okay. Do you know when Miller left Carver? A. I would have to reference it, but it of close to October or November of 2024. He didn't leave Carver then. He was the his vessel was going into shipyard, so we didn't have an extra sp for him, so he was just off for an extended period time. And come to find out on Friday, I heard that	4 5 6 7 8 9 s 10 of 12 t 13	to sea after he was offit because he different of Q. A. It's a small New York Ha	r that incident with us. I don't know if cially termed or what his role was, also shipped out somewhere else for a company. And what company was that? I don't recall off the top of my head. 1 petroleum products carrying company in rbor. And where is it located? Staten Island, New Jersey, either one.
5 6 7 8 9 .0 .1 .2 .3 .4	Marine Towing now? A. Yes, sir. Q. Okay. Do you know when Miller left Carver? A. I would have to reference it, but it we close to October or November of 2024. He didn't leave Carver then. He was the his vessel was going into shipyard, so we didn't have an extra specifor him, so he was just off for an extended period time. And come to find out on Friday, I heard that he passed away.	4 5 6 7 was 8 9 s 10 of 12 t 13 14	to sea after he was offit because he different of the control of t	r that incident with us. I don't know if cially termed or what his role was, also shipped out somewhere else for a company. And what company was that? I don't recall off the top of my head. I petroleum products carrying company in rbor. And where is it located? Staten Island, New Jersey, either one. Ww. I would have to What is your I'm just asking based on
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5 6 7 8 9 .0 .1 .2 .3 .4 .5 .6 .7 .8	Marine Towing now? A. Yes, sir. Q. Okay. Do you know when Miller left Carver? A. I would have to reference it, but it of close to October or November of 2024. He didn't leave Carver then. He was the his vessel was going into shipyard, so we didn't have an extra specifor him, so he was just off for an extended period time. And come to find out on Friday, I heard that he passed away. Q. So Captain Miller passed away? A. In the end of March. He was working with HR for some	4 5 6 7 8 8 9 S 10 of 12 t 13 14 15 16 17	to sea after he was offit because he different of Q. A. It's a small New York Har Q. A. I don't know Q. your memory A.	r that incident with us. I don't know if cially termed or what his role was, also shipped out somewhere else for a company. And what company was that? I don't recall off the top of my head. I petroleum products carrying company in rbor. And where is it located? Staten Island, New Jersey, either one. w. I would have to What is your I'm just asking based on company? Yeah.
5 6 7 8 9 .0 .1 .2 .3 .4 .5 .6 .7	Marine Towing now? A. Yes, sir. Q. Okay. Do you know when Miller left Carver? A. I would have to reference it, but it we close to October or November of 2024. He didn't leave Carver then. He was the his vessel was going into shipyard, so we didn't have an extra specifor him, so he was just off for an extended period time. And come to find out on Friday, I heard that he passed away. Q. So Captain Miller passed away? A. In the end of March. He was working with HR for some long-term disability that I didn't really have	4 5 6 7 8 9 10 of 11 15 16 17 18	to sea after he was offit because he different of Q. A. It's a small New York Ha Q. A. I don't known Q. your memory A. Q.	r that incident with us. I don't know if cially termed or what his role was, also shipped out somewhere else for a company. And what company was that? I don't recall off the top of my head. 1 petroleum products carrying company in rbor. And where is it located? Staten Island, New Jersey, either one. W. I would have to What is your I'm just asking based on one, okay? Yeah. But I'm just asking your memory.
5 6 7 8 9 .0 .1 .2 .3 .4 .5 .6 .7 .8	A. Yes, sir. Q. Okay. Do you know when Miller left Carver? A. I would have to reference it, but it will close to October or November of 2024. He didn't leave Carver then. He was the his vessel was going into shipyard, so we didn't have an extra spe for him, so he was just off for an extended period time. And come to find out on Friday, I heard that he passed away. Q. So Captain Miller passed away? A. In the end of March. He was working with HR for some long-term disability that I didn't really have reference to or idea abouts, but I just heard	4 5 6 7 8 8 9 10 of 12 t 13 14 15 16 17 18 19	to sea after he was offit because he different of Q. A. It's a small New York Ha Q. A. I don't known Q. your memory A. Q.	r that incident with us. I don't know if cially termed or what his role was, also shipped out somewhere else for a company. And what company was that? I don't recall off the top of my head. I petroleum products carrying company in rbor. And where is it located? Staten Island, New Jersey, either one. W. I would have to What is your I'm just asking based on one, okay? Yeah. But I'm just asking your memory. How soon did that happen after the
5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	A. Yes, sir. Q. Okay. Do you know when Miller left Carver? A. I would have to reference it, but it will close to October or November of 2024. He didn't leave Carver then. He was the his vessel was going into shipyard, so we didn't have an extra spe for him, so he was just off for an extended period time. And come to find out on Friday, I heard that he passed away. Q. So Captain Miller passed away? A. In the end of March. He was working with HR for some long-term disability that I didn't really have reference to or idea abouts, but I just heard discovered that on Friday.	4 5 6 7 8 9 10 of 12 t 13 14 15 16 17 18 19 20	to sea after he was offit because he different of Q. A. It's a small New York Ha Q. A. I don't kno	r that incident with us. I don't know if cially termed or what his role was, also shipped out somewhere else for a company. And what company was that? I don't recall off the top of my head. I petroleum products carrying company in rbor. And where is it located? Staten Island, New Jersey, either one. W. I would have to What is your I'm just asking based on one, okay? Yeah. But I'm just asking your memory. How soon did that happen after the lange of 2024 involving the bridge?
5 6 7 8 9 10 11 12 13 14 15 16 17 18 18 19 20	A. Yes, sir. Q. Okay. Do you know when Miller left Carver? A. I would have to reference it, but it of close to October or November of 2024. He didn't leave Carver then. He was the his vessel was going into shipyard, so we didn't have an extra spector him, so he was just off for an extended period time. And come to find out on Friday, I heard that he passed away. Q. So Captain Miller passed away? A. In the end of March. He was working with HR for some long-term disability that I didn't really have reference to or idea abouts, but I just heard discovered that on Friday. Q. But he did not work for the company	4 5 6 7 8 8 9 S 10 of 12 t 13 14 15 16 17 18 19 20 21	to sea after he was offit because he different of Q. A. It's a small New York Har Q. A. I don't know Q. your memory A. Q. incident in A.	r that incident with us. I don't know if cially termed or what his role was, also shipped out somewhere else for a company. And what company was that? I don't recall off the top of my head. I petroleum products carrying company in rbor. And where is it located? Staten Island, New Jersey, either one. W. I would have to What is your I'm just asking based on a company. But I'm just asking your memory. How soon did that happen after the June of 2024 involving the bridge? Within three months? And do you know whether he was
5 6 7	A. Yes, sir. Q. Okay. Do you know when Miller left Carver? A. I would have to reference it, but it we close to October or November of 2024. He didn't leave Carver then. He was the his vessel was going into shipyard, so we didn't have an extra specifor him, so he was just off for an extended period time. And come to find out on Friday, I heard that he passed away. Q. So Captain Miller passed away? A. In the end of March. He was working with HR for some long-term disability that I didn't really have reference to or idea abouts, but I just heard discovered that on Friday. Q. But he did not work for the company since about October or November of 2024?	4 5 6 7 8 8 9 10 11 of 12 13 14 15 16 17 18 19 20 21 22 23	to sea after he was offit because he different of Q. A. It's a small New York Ha Q. A. I don't known your memory A. Q. incident in A. Q.	r that incident with us. I don't know if cially termed or what his role was, also shipped out somewhere else for a company. And what company was that? I don't recall off the top of my head. I petroleum products carrying company in rbor. And where is it located? Staten Island, New Jersey, either one. W. I would have to What is your I'm just asking based on a company? Yeah. But I'm just asking your memory. How soon did that happen after the ladder of 2024 involving the bridge? Within three months? And do you know whether he was

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			April 28, 2025
1	Page		Page 40
1	Moore - April 28, 2025		Moore - April 28, 2025
2	resign?	2	Mr. Miller Captain Miller and Captain Morrissey,
3	A. That, I don't know.	3	right?
4	Q. Who would know?	4	A. Yes, sir.
5	A. HR.	5	Q. Do you know where McGrath is working
6	Q. And by then, had Samantha Gallizo	6	now?
7	arrived in a new role or was that still Mr. Marron?	7	A. I do not.
8	A. It's to be it still would have been	8	Q. Did you communicate with Captain Miller
9	Mr. Marron.	9	at all between when he left in October/November 2024
10	Q. Okay. How many people, to your	10	and when he passed away?
11	knowledge, work in that HR function for the Carver	11	A. I did not.
12	organization?	12	Q. What about Captain Morrissey?
13	A. Three to four.	13	A. I did not.
14	MR. RODGERS: Just for the record, Jim,	14	Q. From the time he went on admin leave
15	are you treating him as a 30(b)(6) witness?	15	until he was gone, whenever that happened, did you
16	Because he hasn't been designated.	16	communicate with him?
17	MR. CHAPMAN: Well, no, I understand	17	A. I did not.
18	that, and we may take a 30(b)(6), but I'm	18	Q. Same question about Engineer McGrath.
19	just to me he sounds like a	19	Between whenever he left, which you don't know, and
20	-	20	now, have you communicated with him?
21	MR. RODGERS: His general you're	20	A. I did not.
	asking his general knowledge.		
22	MR. CHAPMAN: To me, he sounds like a	22	Q. Do you know who was responsible for
23	managing agent, at least for Carver Marine	23	hiring Captain Morrissey to work for Carver Marine
24	Towing, but I don't know whether that's a	24	Towing?
25	MR. RODGERS: Well, he's an employee.	25	A. It would have been through HR.
	Page	39	Page 41
1	Moore - April 28, 2025	1	Moore - April 28, 2025
2	MR. CHAPMAN: Well, yeah. Agree on or	2	Q. Is that because he would have been
3	mat.	1 2	
	not.	3	recommended as a hire by somebody in the towing
4	MR. RODGERS: But, I mean, you're just	4	recommended as a hire by somebody in the towing company?
4 5			
	MR. RODGERS: But, I mean, you're just	4	company?
5	MR. RODGERS: But, I mean, you're just asking him his knowledge in this case?	5	company? A. No, not necessarily. He could also
5 6	MR. RODGERS: But, I mean, you're just asking him his knowledge in this case? MR. CHAPMAN: Yes. I'm and I'm	4 5 6	company? A. No, not necessarily. He could also apply for the position.
5 6 7	MR. RODGERS: But, I mean, you're just asking him his knowledge in this case? MR. CHAPMAN: Yes. I'm and I'm trying to figure out whether there's anybody	4 5 6 7	company? A. No, not necessarily. He could also apply for the position. Q. Okay. So do you know how he became an
5 6 7 8	MR. RODGERS: But, I mean, you're just asking him his knowledge in this case? MR. CHAPMAN: Yes. I'm and I'm trying to figure out whether there's anybody else that we're going to need to depose along	4 5 6 7 8	company? A. No, not necessarily. He could also apply for the position. Q. Okay. So do you know how he became an employee of Carver Marine Towing?
5 6 7 8 9	MR. RODGERS: But, I mean, you're just asking him his knowledge in this case? MR. CHAPMAN: Yes. I'm and I'm trying to figure out whether there's anybody else that we're going to need to depose along the way, okay? So	4 5 6 7 8 9	company? A. No, not necessarily. He could also apply for the position. Q. Okay. So do you know how he became an employee of Carver Marine Towing? A. I don't.
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1	Page 42 Moore - April 28, 2025	1	Page 44 Moore - April 28, 2025
2	them about their previous history, go through the	2	A. Yes, sir.
		3	•
3	motions of that, then advance him to one of the other		Q. Who was the port captain before
4	port captains or senior captains to interview him as	4	Mr. Baldassare?
5	well to understand a better understanding of what	5	A. I don't know. That would have been
6	he's done in the past.	6	before my time.
7	And then once they say yes, we would	7	Q. Mr. Baldassare came to work at Carver
8	like to take him on to HR. HR then would process	8	about the same time you did, then?
9	him through a background check, process online. I	9	A. I would have to look again, but six to
10	don't know exactly what it is, but they would run	10	eight months later.
11	through the background check to make sure he had any	11	Q. Okay. So was there a port captain when
12	outstanding histories or, you know, an outstanding	12	you started working for Carver?
13	upstanding character.	13	A. There was a senior captain.
14	They would cross-reference his merchant	14	Q. Was that Pearson?
15	mariner's reference number to the US Coast Guard home	15	A. Yes, sir.
16	port reference, where they would look up to make sure	16	Q. So the role that Mr. Baldassare took on
17	his license is still active, valid, he has the	17	was new as a port captain for Carver Marine?
18	appropriate tonnage for what he's doing, and then	18	A. Yes.
19	take that from there.	19	Q. Okay. Do you know whether Captain
20	Q. Would they check his S&R history?	20	Morrissey had been assigned to work in any other
21	A. I don't know what S&R is.	21	vessels besides the MACKENZIE ROSE?
22	Q. Suspension and revocation history.	22	A. I would have to look. I don't know if
23	A. Through the Coast Guard?	23	he filled in on any other vessels or not, but his
24	Q. Yeah.	24	primary vessel was the MACKENZIE ROSE.
25	A. I don't know.	25	Q. When you say you would have to look, is
		25	Q. Mich you bay you would have to look, is
١,	Page 43	1	Page 45
1	Moore - April 28, 2025	1	Moore - April 28, 2025
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Page 48 Noore - Agril 28, 2025 Noore - Agril 28, 2025 A. Cally				April 28, 2025
2 A. Yes, sir. A. Only with - with counsel. B. MR. ROCHES' Nalt, wait wit. MR. CHAPPAN: And that's fair. MR. CHAPPAN: The only looked at them with you. that's fine. MR. CHAPPAN: That's fair. MR. CHAPPAN: That's fair. MR. CHAPPAN: That's fair. MR. CHAPPAN: That's fair. MR. CHAPPAN: The only looked at them with you. that's fine. MR. CHAPPAN: The only looked at them with you. that's fine. MR. CHAPPAN: The only looked at them with you. that's fine. MR. ROCHES' I'm sarry. Sorry. MR. ROCHES' I'm sarry. MR. CHAPPAN: The only looked at them with you. that's fine. MR. ROCHES' I'm sarry. MR. CHAPPAN: The only looked at them with you. That's fine. MR. ROCHES' I'm sarry. MR. ROCHES' I'm sarry. MR. ROCHES' I'm sarry. MR. CHAPPAN: The only looked at them with you. The saking and this you talk to anyone besides MR. ROCHES' I'm sarry. MR. ROCHES' I'm sarry. MR. CHAPPAN: The only looked at them with you. The his answer. Okay. MR. ROCHES' I'm sarry. MR. ROCHES' I		<u> </u>		
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A. Colly with with counsel. No. Colly with with counsel. No. Colly with wait, wait. No. Colly with wait, wait. No. Colly with wait wait. No. Colly with the fair. No. No. Colly with wait. No. Colly with the fair. No.		-		
MR. ROCKERS: Rait, wait, wait. MR. ROCKERS: Rold on. MR. CRAPANN: That's fair. MR. ROCKERS: Nold on. MR. CRAPANN: That's fair. MR. CRAPANN: The only locked at them with you, that's fine. MR. ROCKERS: Waih, okay. MR. ROCKERS: Waih, it his answer. Okay. Did you taxt with anyone besides MR. ROCKERS: Waih, it his his answer. Daily ou e-mail with anyone to help prepare of the deposition today? A. I did not. Did you e-mail with anyone to help prepare yourself for the deposition today? A. I did not. Q. Couple of questions just this kind of og to what's called competence, but did you skeep Moore - Agril 28, 2025 A. I did. MR. CRAPANN: That's plis and provide medications or substances that would impair your motivation or substances that would impair your medications or substances that would impair your motivation or substances that woul			-	-
MR. CRAMANN: And that's fair. 7	-	_		
8 MR. ECCERES: Bold on. 9 MR. CRAPMAN: That's fair. 10 MR. ROCKERS: I'm sorry. Sorry. 11 MR. ROCKERS: I'm sorry. Sorry. 12 with you, that's fine. 13 MR. ROCKERS: Yesh, okay. 14 MR. ROCKERS: Yesh, okay. 15 Q. Did you talk to anyone besides 16 Mr. ROCKERS: Yesh, okay. 17 A. No. 18 Q. Did you tak to anyone besides 18 Q. Did you tak to anyone besides 19 O. Did you text with anyone to help prepare 19 for the deposition today? 20 A. I did not. 21 Q. Did you e-mail with anyone to help prepare 22 prepare yourself for the deposition today? 23 A. I did not. 25 O. Cougle of questions just this kind 26 of go to what's called competence, but did you sleep 10 MR. ROCKERS: Well, Jes. So the injury 11 MR. ROCKERS: Well, Jes. So the injury 12 from the other employer, there was a previous 13 at any time, not just this cose. 14 THE WITNESS: Well, Jes. So the injury 15 from the other employer, there was a previous 16 in the yearse was an interval today? 19 Logistics. 20 Q. Did you e-mail with anyone to help prepare 21 Q. Did you e-mail with anyone to help prepare 22 prepare yourself for the deposition today? 23 A. I did not. 24 Q. Cougle of questions just this kind 25 of go to what's called competence, but did you sleep 10 MR. ROCKERS: Yesh, okay. 11 MR. ROCKERS: Well, Jes. So the injury 12 deposable fore? 13 A. I did not. 14 Q. Did you e-mail with anyone to help prepare 18	'			
9 MR. CHAPANN: That's fair. 10 MR. ROCKERE: I'm sorry. Sorry. 11 MR. ROCKERE: I'm sorry. Sorry. 12 with you, that's fine. 13 MR. CHAPANN: That's his answer. Okay. 14 MR. CHAPANN: That's his answer. Okay. 15 Q. Did you talk to anyone besides 16 Mr. Rodgers to prepare for the deposition today? 17 A. No. 18 Q. Did you text with anyone to help prepare 19 for the deposition today? 20 A. I did not. 21 Q. Did you e-mail with anyone to help prepare 22 prepare yourself for the deposition today? 23 A. I did not. 24 Q. Couple of questions just this kind 25 of go to what's called competence, but did you sleep 26 of you what a called competence, but did you sleep 27 Noore - April 28, 2025 28 A. I did not. 29 Okay. And are you taking any 29 medications or substances that would impair your 29 half to understand my questions and provide 20 have you ever testified before? 21 Q. Okay. And are you taking any 22 returnful answers? 38 A. I don't take. 39 Q. May you ever testified before? 40 Q. Okay. And are you taking any 41 prior to my arrival at the other company, but never 42 States Coast Guard, and also for another injury claim 43 prior to my arrival at the other company, but never 44 Q. Okay. Take I'm shade of the Us- understanding of allision is a vessel making contact 45 Q. Okay. And are you revoked in the Coast 46 A. I have worked for some depositions on 47 behalf of the in support of the Us- understanding of allision is a vessel making contact 48 A. No. It was for a different incident 49 G. Okay. Take of I'm clear, are you 40 C. Okay. Take of I'm clear, are you 41 It's not a trick question. Okay? 42 A. No. I that was for a different incident 43 A. No. It was for a different incident 44 C. Okay. Suts of I'm clear, are you 45 Goard hearing into this incident? 46 A. No. It was for a different incident 47 Goard hearing into this incident? 48 A. No. It was for a different incident 49 G. Okay. Suts of I'm clear, are you 40 C. And that was also a Coast Guard 41 I investigation? 42 A. Yes, but not through us. It was for a			'	
10 MR. RODGERS: I'm sorry. Sorry. 11 MR. RODGERS: I'm sorry. Sorry. 12 withyou, that's fine. 13 MR. RODGERS: Yeah, okay. 14 MR. CHAPMEN: That's his answer. Okay. 15 O. Did you talk to anyone besides 16 Mr. Rodgers to prepare for the deposition today? 17 A. No. 18 Q. Did you text with anyone to help prepare 19 for the deposition today? 20 A. I did not. 21 Q. Did you e-mail with anyone to help prepare prepare yourself for the deposition today? 22 A. I did not. 23 A. I did not. 24 Q. Couple of questions just this kind of go to what's called competence, but did you sleep 25 prepare yourself for the deposition today? 26 okay last night? 27 Noore - April 28, 2025 28 okay last night? 39 A. I did. 40 Q. Okay, And are you taking any 50 medications or substances that would impair your ability to understand my questions and provide truthful answers? 19 Q. Bave you ever testified before? 20 G. Bave you ever testified before? 21 G. Okay. Take worked for some depositions on publances that would impair your ability to understand my questions and provide truthful answers? 28 A. I do not take. 30 Q. Bave you ever testified before? 40 C. Bave you ever testified before? 41 C. Okay. Take worked for some depositions on publances that would impair your ability to understand my questions and provide truthful answers? 41 States Cosat Guard, and also for another injury claim prior to my arrival at the other company, but never con your behalf, I guess I would say. 42 Q. Okay. Take worked for some depositions on prior to my arrival at the other company, but never con your behalf, I guess I would say. 43 A. No. It was for a different incident form years ago, five years ago. 44 A. No. It was for a different incident form years ago, five years ago. 45 A. No. Othat was also a Cast Guard investigation? 46 C. Okay. Just of the General year of the Utake A. No. It was for a different incident form years ago, five years ago. 47 A. No. It was for a different incident form years ago, five years ago. 48 A. Yea, but not through us. It was for a				
1 NR. CCHANNON: If he only looked at them 12 with you, that's fine. 13 NR. RODGERS: Yeah, okay. 14 NR. RODGERS: Well, I think he's asking 15 NR. RODGERS: Well, yes. So the injury 16 NR. RODGERS: Well, yes. So the injury 17 NR. NO. 18 NR. RODGERS: Well, yes. So that was a 17 Rodgers to prepare for the deposition today? 16 Rodgers to prepare for the deposition today? 17 A. No. 18 O. Did you text with anyone to help prepare 18 It, where I was with for Centerline 19 Rodgers to prepare yourself for the deposition today? 19 Rodgers to prepare yourself for the deposition today? 20 A. I did not. 20 O. Did you e-nail with anyone to help prepare yourself for the deposition today? 22 A. No. Absolutely not. 23 O. All right. Thank you for that 24 C. Ouple of questions just this kind 25 O. All right. Thank you for that 26 C. Ouple of questions just this kind 27 O. Okay. Parl are you taking any 28 O. Okay. Parl are you taking any 29 O. Okay. Parl are you taking any 30 O. Okay. Parl are you taking any 31 O. Okay. Parl are you ever testified before? 31 O. Okay. Parl are you ever testified before? 32 O. Rodgers: Just just so you're not asking him the legal term of art? O. Okay. Just so I'm clear, are you 18 O. Okay. Parl are you healf, I guess I would sy. O. Okay. Just so I'm clear, are you 19 O. Rodgers: Well, I think he's asking at any it are not pury just asking in the legal term of the work of the were I was with for Centerline 10 O. Okay. Parl are you taking any O. Okay. Parl are you taking any O. Okay. Parl are you ever testified before? O. Rodgers: Just just so you're not asking him the legal term of art? O. Okay. Parl are you taken injury claim O. Okay				
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15 Mr. Rodgers to prepare for the deposition today? 16 Mr. Rodgers to prepare for the deposition today? 17 A. No. 18 Q. Did you text with anyone to help prepare 19 for the deposition today? 20 A. I did not. 21 Q. Did you e-mail with anyone to help 22 prepare yourself for the deposition today? 23 A. I did not. 24 Q. Couple of questions just this kind 25 of go to what's called competence, but did you sleep 26 okay last night? 27 A. I did. 28 Q. Okay. And are you taking any 29 medications or substances that would impair your 20 ah. I do not take. 21 Q. Okay. And are you textified before? 22 truthul answers? 23 A. I do not take. 24 Q. Okay. And are you textified before? 25 A. I do not take. 26 A. I have worked for some depositions on labelaf, I guess I would say. 27 C. Did you e-mail with anyone to help prepare it, where I was with for Centerline 28 A. I do not take. 29 C. Couple of questions just this kind deposition based in New Jersey that I did for it, where I was with for Centerline 29 C. Did you e-mail with anyone to help prepare it, where I was with for Centerline 20 Q. But other than that, you've never been deposition. 21 Capistics. 22 A. No, absolutely not. 23 C. All right. Thank you for that clarification. 24 D. Okay And are you taking any 25 medications or substances that would impair your adialision is? 26 A. I do. 27 D. Okay. And are you taking any 28 A. I do not take. 29 C. Okay. Tell us your understanding of the word allision. 29 NR. CROMERS: Just just so you're not asking him the legal men of art? 20 A. I have worked for some depositions on later injury claim prior to my arrival at the other company, but never any arrival at th				
16 Mr. Rodgers to prepare for the deposition today? 17 A. No. 28 Q. Did you text with anyone to help prepare 19 for the deposition today? 29 A. I did not. 20 Did you e-mail with anyone to help prepare 21 deposed before? 20 prepare yourself for the deposition today? 21 deposed before? 22 prepare yourself for the deposition today? 22 A. No, absolutely not. 23 A. I did not. 24 Q. Couple of questions just this kind 24 clarification. 25 do go to what's called competence, but did you sleep 25 okay last night? 26 oxay last night? 27 do way and are you taking any 28 decisions or substances that would impair your 29 ability to understand my questions and provide 29 furthful answers? 28 A. I do not take. 39 Q. Have you ever testified before? 40 Bay one ver testified before? 41 I way you ever testified before? 42 States Coast Guard, and also for another injury claim 3 prior to my arrival at the other company, but never 10 for form years ago, five years ago. 40 Q. And that was also a Coast Guard 21 investigation? 41 Privation of the arrivation of the work allision is 20 in the word allision is 20 in the word allision is 20 in the word allision. 41 States Coast Guard, and also for another injury claim 3 prior to my arrival at the other company, but never 10 in the incident? 41 Q. A fixed object? 42 A. You're talking about yeah. My understanding of the word allision is a vessel making contact with a non-noveable object. 43 A. No. The worked for some depositions on 10 in the incident? 44 Q. A fixed object? 45 A. Fixed objects, yeah. 46 Q. A fixed object; Pah. 47 The first initial call came through 29 after Lemry called me on the weekend. He received 29 the calls through the boat's, the MACKENZIE ROSE, and 20 from what he spoke to me about it is that they 20 and doubt on the very called me on the weekend. He received 21 the calls through the boat's, the MACKENZIE ROSE, and 22 from what he spoke to me about it is that they 21 and 22 from what he spoke to me about it is that they 22 hour down in Virginia, I believe i		-		
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21 Q. Did you e-mail with anyone to help 22 prepare yourself for the deposition today? 23 A. I did not. 25 of go to what's called competence, but did you sleep Page 47 1 Moore - April 28, 2025 2 okay last night? 3 A. I did. 4 Q. Okay. And are you taking any 5 medications or substances that would impair your 6 ability to understand my questions and provide 7 truthful answers? 8 A. I do not take. 9 Q. Have you ever testified before? 10 A. I have worked for some depositions on 11 behalf of the in support of the US United 12 prior to my arrival at the other company, but never 14 on my own behalf, I guess I would say. 15 Q. Okay. Just so I'm clear, are you 16 referencing testimony that you provided in the Coast 17 Guard hearing into this incident? 18 A. No. It was for a different incident 19 from four years ago, five years ago. 20 Q. And that was also a Coast Guard 21 investigation? 22 A. Yes, but not through us. It was for a 23 school that had some suspicious endorsements issued 24 out down in Virginia, I believe it was. 25 Do you understand the term allision? 26 Do you understand the term allision? 27 Do you understand the term allision? 28 Moore - April 28, 2025 29 Vou know what an allision is? 3 A. Yes. 4 Q. Okay. Tell us your understanding of the meaning of the word allision. 4 Q. Okay. Tell us your understanding of the word allision. 5 meaning of the word allision. 6 MR. RODGERS: Just just so you're 7 not asking him the legal term of art? 7 understanding of allision. 8 A. You're talking about yeah. My 10 understanding of allision is a vessel making contact 11 With a non-moveable object. 12 A. Pixed objects. 13 A. Fixed objects, yeah. 14 Q. A fixed object? 15 A. Pixed object. 16 Q. All right. Thank you for that 17 learned about the MACKENZIE ROSE, and 18 Bel Line Bridge. 19 A. The first initial call came through 19 A. The first initial call came through 19 A. The first initial call came through 20 from what he spoke to me about it is that they 21 made they made contact with the fendering of	19		19	Logistics.
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Page 47 Moore - April 28, 2025 1	24		24	clarification.
Moore - April 28, 2025 1	25	of go to what's called competence, but did you sleep	25	Do you understand the term allision? Do
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25 Q. That's what Mr. Baldassare told you?	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A. I did. Q. Okay. And are you taking any medications or substances that would impair your ability to understand my questions and provide truthful answers? A. I do not take. Q. Have you ever testified before? A. I have worked for some depositions on behalf of the in support of the US United States Coast Guard, and also for another injury claim prior to my arrival at the other company, but never on my own behalf, I guess I would say. Q. Okay. Just so I'm clear, are you referencing testimony that you provided in the Coast Guard hearing into this incident? A. No. It was for a different incident from four years ago, five years ago. Q. And that was also a Coast Guard investigation? A. Yes, but not through us. It was for a school that had some suspicious endorsements issued	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A. Yes. Q. Okay. Tell us your understanding of the meaning of the word allision. MR. RODGERS: Just just so you're not asking him the legal term of art? MR. CHAPMAN: No. I'm just asking him what like what does he think an allision is. It's not a trick question. Okay? A. You're talking about yeah. My understanding of allision is a vessel making contact with a non-moveable object. Q. A fixed object? A. Fixed objects, yeah. Q. All right. So tell us how you first learned about the MACKENZIE ROSE alliding with the Belt Line Bridge. A. The first initial call came through after Lenny called me on the weekend. He received the calls through the boat's, the MACKENZIE ROSE, and from what he spoke to me about it is that they made they made contact with the fendering of the
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					April 28, 2025
1		Page 50			Page 52
1 2	A.	Moore - April 28, 2025 Yes, I believe so.	1 2	informations	Moore - April 28, 2025 I'm just trying to unpack that.
3			3	A.	It was more of a find out what happened.
	Q.	What were you doing at the time he			
4 5	called you?	Town could be in my backward dust dains	5	what happene	think I requested them get photos, see
6	A. chores at h	I was working in my backyard just doing	6	what happene	It when you receive that kind of
-				mbama gall	-
7	Q.	So middle of the summer. Were you like	7	-	it's initially gather all the facts you
8	mowing the		8	-	ppened, is everything okay, and then take
9	A.	Yeah. I I don't remember exactly			tep after that.
10		Probably just cleaning up the yard,	10	Q.	Okay. So did you have more than one
11	_	n't have my phone directly in my pocket,	11		with Mr. Baldassare?
12		wasn't until I went back inside and	12	Α.	Throughout the day? Yes.
13	picked it u		13	Q.	Do you recall how many?
14	Q.	So he had left a message to call or	14	Α.	No, I do not.
15	what	We Thelians to collect the T	15	Q.	More than two?
16	A.	He I believe he called twice. I	16	Α.	I don't know.
17		per exactly what it was, but usually on	17	Q.	So it sounds like you told him to get
18		en somebody calls from the team, I always	18	some pnotos	and find out more.
19	call them r	-	19	_	What did you specifically want to know?
20	Q.	So did he leave a message on your phone?	20	A.	How much damage there was to everything,
21	A.	I don't recall that.	21		let it be the bridge fendering or the
22	Q.	What time do you recall calling him	22		atever it may have happened.
23	back?		23	Q.	Did you ever learn which part of the
24	Α.	Mid-afternoon. I don't remember.	24	_	ctually contacted that afternoon on
25	Q.	And he told you that the crew of the	25	June 15th	
		Page 51			Page 53
1		Moore - April 28, 2025	1		Moore - April 28, 2025
2	-	oody in the crew of the tug had reported	2	Α.	No, sir.
3	that they ha	cody in the crew of the tug had reported ad contacted the fendering system of the	2 3	Q.	No, sir. 2024?
3 4	-	ad contacted the fendering system of the	2 3 4	Q. A.	No, sir 2024? No.
3 4 5	that they ha	ad contacted the fendering system of the MR. RODGERS: Objection to form.	2 3 4 5	Q. A. Q.	No, sir 2024? No. Did you ever have any understanding that
3 4 5 6	that they ha	MR. RODGERS: Objection to form. You can answer.	2 3 4 5 6	Q. A. Q. the part of	No, sir 2024? No. Did you ever have any understanding that the bridge that had been contacted was
3 4 5 6 7	that they had bridge?	MR. RODGERS: Objection to form. You can answer. Do you understand his question?	2 3 4 5 6 7	Q. A. Q. the part of not the fend	No. sir 2024? No. Did you ever have any understanding that the bridge that had been contacted was er system
3 4 5 6 7 8	that they have bridge?	MR. RODGERS: Objection to form. You can answer. Do you understand his question? If I just so I'm clear, if I'm	2 3 4 5 6 7 8	Q. A. Q. the part of not the fend A.	No. sir 2024? No. Did you ever have any understanding that the bridge that had been contacted was er system It wasn't
3 4 5 6 7 8 9	that they had bridge?	MR. RODGERS: Objection to form. You can answer. Do you understand his question? If I just so I'm clear, if I'm Yeah. They	2 3 4 5 6 7 8	Q. A. Q. the part of not the fend	No, sir 2024? No. Did you ever have any understanding that the bridge that had been contacted was er system It wasn't that afternoon?
3 4 5 6 7 8 9 10	that they have bridge?	MR. RODGERS: Objection to form. You can answer. Do you understand his question? If I just so I'm clear, if I'm Yeah. They MR. RODGERS: Just hold off.	2 3 4 5 6 7 8 9	Q. A. Q. the part of not the fend A.	No, sir 2024? No. Did you ever have any understanding that the bridge that had been contacted was er system It wasn't that afternoon? MR. RODGERS: Wait. Hold on.
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3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	Q. A. Q. previously, that's what A. then. Q. he told you reported the	MR. RODGERS: Objection to form. You can answer. Do you understand his question? If I just so I'm clear, if I'm Yeah. They MR. RODGERS: Just hold off. I just want to respond to his objection. If I've misstated what you said then feel free to correct me. I thought you said. Sure. Can you repeat the question, Yeah. When you spoke to Mr. Baldassare, that someone in the crew of the tug had at they had contacted the fendering system	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	Q. A. Q. the part of not the fend A. Q. understandin tug and barg	No, sir 2024? No. Did you ever have any understanding that the bridge that had been contacted was er system It wasn't that afternoon? MR. RODGERS: Wait. Hold on. Could you just repeat that. I MR. CHAPMAN: Yeah. I said did you ever have any g that the part of the bridge that the e contacted was not the fendering system? MR. RODGERS: On that day? MR. CHAPMAN: On that day. Yeah, on ay. I did not.
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q. A. Q. previously, that's what A. then. Q. he told you reported the	MR. RODGERS: Objection to form. You can answer. Do you understand his question? If I just so I'm clear, if I'm Yeah. They MR. RODGERS: Just hold off. I just want to respond to his objection. If I've misstated what you said then feel free to correct me. I thought you said. Sure. Can you repeat the question, Yeah. When you spoke to Mr. Baldassare, that someone in the crew of the tug had at they had contacted the fendering system Line Bridge; is that right?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q. A. Q. the part of not the fend A. Q. understandin tug and barg	No. sir 2024? No. Did you ever have any understanding that the bridge that had been contacted was er system It wasn't that afternoon? MR. RODGERS: Wait. Hold on. Could you just repeat that. I MR. CHAPMAN: Yeah. I said did you ever have any g that the part of the bridge that the e contacted was not the fendering system? MR. RODGERS: On that day? MR. CHAPMAN: On that day. Yeah, on aay.
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	Q. A. Q. previously, that's what A. then. Q. he told you reported the of the Belt A.	MR. RODGERS: Objection to form. You can answer. Do you understand his question? If I just so I'm clear, if I'm Yeah. They MR. RODGERS: Just hold off. I just want to respond to his objection. If I've misstated what you said then feel free to correct me. I thought you said. Sure. Can you repeat the question, Yeah. When you spoke to Mr. Baldassare, that someone in the crew of the tug had at they had contacted the fendering system Line Bridge; is that right? Yes. He didn't mention a name, he just	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q. A. Q. the part of not the fend A. Q. understandin tug and barg	No, sir 2024? No. Did you ever have any understanding that the bridge that had been contacted was er system It wasn't that afternoon? MR. RODGERS: Wait. Hold on. Could you just repeat that. I MR. CHAPMAN: Yeah. I said did you ever have any g that the part of the bridge that the e contacted was not the fendering system? MR. RODGERS: On that day? MR. CHAPMAN: On that day. Yeah, on any. I did not. Did you learn later Yes.
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q. A. Q. previously, that's what A. then. Q. he told you reported the of the Belt A.	MR. RODGERS: Objection to form. You can answer. Do you understand his question? If I just so I'm clear, if I'm Yeah. They MR. RODGERS: Just hold off. I just want to respond to his objection. If I've misstated what you said then feel free to correct me. I thought you said. Sure. Can you repeat the question, Yeah. When you spoke to Mr. Baldassare, that someone in the crew of the tug had at they had contacted the fendering system Line Bridge; is that right?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q. A. Q. the part of not the fend A. Q. understandin tug and barg that d A. Q.	No, sir 2024? No. Did you ever have any understanding that the bridge that had been contacted was er system It wasn't that afternoon? MR. RODGERS: Wait. Hold on. Could you just repeat that. I MR. CHAPMAN: Yeah. I said did you ever have any g that the part of the bridge that the e contacted was not the fendering system? MR. RODGERS: On that day? MR. CHAPMAN: On that day. Yeah, on any. I did not. Did you learn later
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	that they he bridge? Q. A. Q. previously, that's what A. then. Q. he told you reported the of the Belt A. said the MAG	MR. RODGERS: Objection to form. You can answer. Do you understand his question? If I just so I'm clear, if I'm Yeah. They MR. RODGERS: Just hold off. I just want to respond to his objection. If I've misstated what you said then feel free to correct me. I thought you said. Sure. Can you repeat the question, Yeah. When you spoke to Mr. Baldassare, that someone in the crew of the tug had at they had contacted the fendering system Line Bridge; is that right? Yes. He didn't mention a name, he just IKENZIE ROSE, as a general. And did you have any conversation with	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q. A. Q. the part of not the fend A. Q. understandin tug and barg that d A. Q. A.	No, sir 2024? No. Did you ever have any understanding that the bridge that had been contacted was er system It wasn't that afternoon? MR. RODGERS: Wait. Hold on. Could you just repeat that. I MR. CHAPMAN: Yeah. I said did you ever have any g that the part of the bridge that the e contacted was not the fendering system? MR. RODGERS: On that day? MR. CHAPMAN: On that day. Yeah, on any. I did not. Did you learn later Yes.
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3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	previously, that's what A. then. Q. he told you reported the of the Belt A. said the MAG. Q. him about the	MR. RODGERS: Objection to form. You can answer. Do you understand his question? If I just so I'm clear, if I'm Yeah. They MR. RODGERS: Just hold off. I just want to respond to his objection. If I've misstated what you said then feel free to correct me. I thought you said. Sure. Can you repeat the question, Yeah. When you spoke to Mr. Baldassare, that someone in the crew of the tug had at they had contacted the fendering system Line Bridge; is that right? Yes. He didn't mention a name, he just IKENZIE ROSE, as a general. And did you have any conversation with	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Q. A. Q. the part of not the fend A. Q. understandin tug and barg that d A. Q. A. Q. A. Q.	No. sir 2024? No. Did you ever have any understanding that the bridge that had been contacted was er system It wasn't that afternoon? MR. RODGERS: Wait. Hold on. Could you just repeat that. I MR. CHAPMAN: Yeah. I said did you ever have any g that the part of the bridge that the e contacted was not the fendering system? MR. RODGERS: On that day? MR. CHAPMAN: On that day. Yeah, on any. I did not. Did you learn later Yes that it was not the fendering system? Not that day, but yes, later.

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		Dame F	4		April 28, 202:
1		Page 5 Moore - April 28, 2025	4 1		Page 56 Moore - April 28, 2025
2	A.	Yes, sir.	2		MR. RODGERS: Okay.
3	Q.	that day.	3		MR. CHAPMAN: Or the or from the tug
4	۷٠	I'm just trying to understand what you	4	ag it	passed by the bridge opening passed
5	knew that da		5		gh the bridge opening.
6	Miew that us	•	6	CIII Ou	
	diaminline :	We're not doing really good at the radio		0	THE WITNESS: That is the photo, yes.
7	discipline t	J	7	Q.	All right. So you've seen a photo that
8	Α.	I'll have to hold it like an actual	8		the fendering system, and you can see the
9	mike, then.	am poncence, et al. (C. 1)	9		g out to the west, right?
10		MR. RODGERS: That's off the record.	10	Α.	Correct.
11	It's i	up to Mr. Chapman.	11	Q.	Okay. And when did you first see that
12	_	MR. CHAPMAN: Well, it's going to be on	12	photo?	
13		ideo record, so it might as well be on	13	A.	I don't recall exactly.
14	the ti	ranscript, too.	14	Q.	Was it on your phone?
15		MR. RODGERS: All right.	15	A.	My phone or Lenny's phone or e-mailed
16	Q.	So there was at least one other	16	from the box	at phone. I would have to look it up.
17	conversation	n you had with Mr. Baldassare that	17	Q.	So if you received it electronically,
18	afternoon	-	18	there would	be some kind of electronic record of
19	A.	Yes.	19	receipt	
20	Q.	right?	20	A.	Correct.
21	A.	Yes, sir.	21	Q.	or being sent, correct?
22	Q.	Did you ever talk to anybody that was a	22	A.	Yes.
23	member of th	ne crew of the tug that afternoon?	23	Q.	Does the boat, the MACKENZIE ROSE, have
24	A.	No.	24	its own des	ignated phone?
25	Q.	So did Mr. Baldassare call you back,	25	A.	Yes.
		Page 5	5		Page 57
1		Moore - April 28, 2025	1		Moore - April 28, 2025
2	then, for th	nat second call?	2	Q.	Where is it kept? Where is it supposed
3	A.	Yes.	3	to be kept?	
4	Q.	And what did you learn at that time?	4	A.	It's with the officer of the watch.
5	A.	I believe it was when after the fact	5	Q.	Do you know whether the where that
6	that they we	ent to the anchorage to break free from	6	phone is to	day that was on the MACKENZIE ROSE at the
7	-	and then make turns of the entire barge to	7	time of this	s bridge allision?
8		ny damage as well.	8	A.	It could be with IT or with counsel.
9	Q.	Did you ever receive a photograph or	9		MR. RODGERS: Don't guess.
10		of the bridge that afternoon?	10	A.	So no, I don't know.
11	Α.	I don't recall if it was that afternoon,	11	Q.	So in the second conversation, I'll call
12		one wheelhouse photo that they took	12	-	u had with Mr. Baldassare, what did you
13		ectly at beam of it.	13	_	what had happened?
14	Q.	Okay. And you received that photo that	14	A.	That there was no damage to the
15	afternoon?	o.m.,m. jou received dide photo that	15		and on initial walk of the barge, there
16	A.	I don't recall.	16		ge noted. So that was probably what came
17	Q.	Where is that photo today, if you know?	17		by way of the second phone call.
18	Q. A.	I don't know.	18		Do you know if the crew of the tug made
19			19	Q.	
	Q.	Who sent it to you?			ion of the bridge to determine whether
20	A.	I don't remember.	20		ny damage to it?
		MR. RODGERS: Just by Counsel, I'm not	21	A.	Besides taking that one photo as they
21	sure v	what the photo is.	22	passed thro	
22			1 77		That's all they did
22 23	_	MR. CHAPMAN: I think the photo he	23	Q.	-
22		MR. CHAPMAN: I think the photo he ibed was the one that was taken apparently the wheelhouse.	24 25	Q. A. Q.	Well as far as you know?

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			April 28, 2025
1	Page 58	1	Page 60
1	Moore - April 28, 2025	1	<u> </u>
2	A. As far as I know.	2	
3	Q. Nobody got off the boat and walked the	3	•
4	bridge or came up alongside of the bridge, other than	4	-
5	in that one photo?	5	1
6	A. I don't believe so.	6	
7	MR. RODGERS: Well, don't guess.	7	,
8	Q. So	8	
9	A. So correction. Yes, I don't know.	9	2
10	Q. At any time, did it occur to you that	10	·
11	the Coast Guard needed to be contacted?	11	
12	MR. RODGERS: Objection to form.	12	~ 1
13	You can answer.	13	-
14	A. It would have been within that five-day	14	
15	window of a bridge allision with fendering.	15	~ -
16	Q. And not before? Coast Guard needed	16	
17	did you're saying you it did not occur to you	17	3 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
18	that the Coast Guard should be contacted immediately	18	
19	because of the allision?	19	~ .
20	A. Well, given that it was reported that it	20	3
21	was just a fendering and there was no damage to the	21	
22	fendering or the barge, I wouldn't understand the	22	2
23	severity of what the tug did or didn't do.	23	, 1
24	Q. Yeah, I hear what you're saying, but do	24	
25	you know what the regulatory requirement is?	25	Q. He's not licensed, to your knowledge?
	Page 59		Page 61
1	Moore - April 28, 2025	1	<u> </u>
2	MR. RODGERS: Objection. It's a	2	-
3	you're asking about the law or what he knows?	3	
4	MR. CHAPMAN: I'm just again, I'm	4	2
5	asking him what he knows or what he thinks	5	-
6	regarding I'm trying to understand what	6	
7	MR. RODGERS: Well, he just testified	7	~ 1 1 1 3
8	that it he understood there was a five-day window.	8	Whether the Coast Guard needed to be notified of the
9			-114-40
10			allision?
10	MR. CHAPMAN: I'll back up. I'll back	10	A. I did not.
11	MR. CHAPMAN: I'll back up. I'll back up.	10	A. I did not. Q. Did you only have one conversation with
11 12	MR. CHAPMAN: I'll back up. I'll back up. Q. Was the Coast Guard notified on	10 11 12	A. I did not. Q. Did you only have one conversation with him to notify him of the allision?
11 12 13	MR. CHAPMAN: I'll back up. I'll back up. Q. Was the Coast Guard notified on June 15th, 2024, that the tug had allided with the	10 11 12 13	A. I did not. Q. Did you only have one conversation with him to notify him of the allision? A. I believe so.
11 12 13 14	MR. CHAPMAN: I'll back up. I'll back up. Q. Was the Coast Guard notified on June 15th, 2024, that the tug had allided with the bridge?	10 11 12 13 14	A. I did not. Q. Did you only have one conversation with him to notify him of the allision? A. I believe so. Q. Did you send him any photographs that
11 12 13 14 15	MR. CHAPMAN: I'll back up. I'll back up. Q. Was the Coast Guard notified on June 15th, 2024, that the tug had allided with the bridge? A. I don't know.	10 11 12 13 14 15	A. I did not. Q. Did you only have one conversation with him to notify him of the allision? A. I believe so. Q. Did you send him any photographs that you had?
11 12 13 14 15 16	MR. CHAPMAN: I'll back up. I'll back up. Q. Was the Coast Guard notified on June 15th, 2024, that the tug had allided with the bridge? A. I don't know. Q. Who would know?	10 11 12 13 14 15 16	A. I did not. Q. Did you only have one conversation with him to notify him of the allision? A. I believe so. Q. Did you send him any photographs that you had? A. I don't recall.
11 12 13 14 15 16 17	MR. CHAPMAN: I'll back up. I'll back up. Q. Was the Coast Guard notified on June 15th, 2024, that the tug had allided with the bridge? A. I don't know. Q. Who would know? A. Lenny Baldassare.	10 11 12 13 14 15 16 17	A. I did not. Q. Did you only have one conversation with him to notify him of the allision? A. I believe so. Q. Did you send him any photographs that you had? A. I don't recall. Q. Is there anything that would help your
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11 12 13 14 15 16 17 18	MR. CHAPMAN: I'll back up. I'll back up. Q. Was the Coast Guard notified on June 15th, 2024, that the tug had allided with the bridge? A. I don't know. Q. Who would know? A. Lenny Baldassare. Q. Did he ever tell you that he had notified the Coast Guard?	10 11 12 13 14 15 16 17 18 19	A. I did not. Q. Did you only have one conversation with him to notify him of the allision? A. I believe so. Q. Did you send him any photographs that you had? A. I don't recall. Q. Is there anything that would help your memory to recall whether you sent him photographs? A. Not no.
11 12 13 14 15 16 17 18 19 20	MR. CHAPMAN: I'll back up. I'll back up. Q. Was the Coast Guard notified on June 15th, 2024, that the tug had allided with the bridge? A. I don't know. Q. Who would know? A. Lenny Baldassare. Q. Did he ever tell you that he had notified the Coast Guard? A. I don't recall that, either.	10 11 12 13 14 15 16 17 18 19	A. I did not. Q. Did you only have one conversation with him to notify him of the allision? A. I believe so. Q. Did you send him any photographs that you had? A. I don't recall. Q. Is there anything that would help your memory to recall whether you sent him photographs? A. Not no. Q. On June 15th, 2024, after the
11 12 13 14 15 16 17 18 19 20 21	MR. CHAPMAN: I'll back up. I'll back up. Q. Was the Coast Guard notified on June 15th, 2024, that the tug had allided with the bridge? A. I don't know. Q. Who would know? A. Lenny Baldassare. Q. Did he ever tell you that he had notified the Coast Guard? A. I don't recall that, either. Q. So my question, then, is did you do	10 11 12 13 14 15 16 17 18 19 20 21	A. I did not. Q. Did you only have one conversation with him to notify him of the allision? A. I believe so. Q. Did you send him any photographs that you had? A. I don't recall. Q. Is there anything that would help your memory to recall whether you sent him photographs? A. Not no. Q. On June 15th, 2024, after the allision you first learned of the allision from
11 12 13 14 15 16 17 18 19 20 21 22	MR. CHAPMAN: I'll back up. I'll back up. Q. Was the Coast Guard notified on June 15th, 2024, that the tug had allided with the bridge? A. I don't know. Q. Who would know? A. Lenny Baldassare. Q. Did he ever tell you that he had notified the Coast Guard? A. I don't recall that, either. Q. So my question, then, is did you do anything to confirm whether the Coast Guard had been	10 11 12 13 14 15 16 17 18 19 20 21 22	A. I did not. Q. Did you only have one conversation with him to notify him of the allision? A. I believe so. Q. Did you send him any photographs that you had? A. I don't recall. Q. Is there anything that would help your memory to recall whether you sent him photographs? A. Not no. Q. On June 15th, 2024, after the allision you first learned of the allision from Mr. Baldassare, were you ever on a call regarding the
11 12 13 14 15 16 17 18 19 20 21 22 23	MR. CHAPMAN: I'll back up. I'll back up. Q. Was the Coast Guard notified on June 15th, 2024, that the tug had allided with the bridge? A. I don't know. Q. Who would know? A. Lenny Baldassare. Q. Did he ever tell you that he had notified the Coast Guard? A. I don't recall that, either. Q. So my question, then, is did you do anything to confirm whether the Coast Guard had been notified on June 15th, 2024, of the allision?	10 11 12 13 14 15 16 17 18 19 20 21 22 23	A. I did not. Q. Did you only have one conversation with him to notify him of the allision? A. I believe so. Q. Did you send him any photographs that you had? A. I don't recall. Q. Is there anything that would help your memory to recall whether you sent him photographs? A. Not no. Q. On June 15th, 2024, after the allision you first learned of the allision from Mr. Baldassare, were you ever on a call regarding the fact of the allision with any with more than one
11 12 13 14 15 16 17 18 19 20 21 22	MR. CHAPMAN: I'll back up. I'll back up. Q. Was the Coast Guard notified on June 15th, 2024, that the tug had allided with the bridge? A. I don't know. Q. Who would know? A. Lenny Baldassare. Q. Did he ever tell you that he had notified the Coast Guard? A. I don't recall that, either. Q. So my question, then, is did you do anything to confirm whether the Coast Guard had been	10 11 12 13 14 15 16 17 18 19 20 21 22	A. I did not. Q. Did you only have one conversation with him to notify him of the allision? A. I believe so. Q. Did you send him any photographs that you had? A. I don't recall. Q. Is there anything that would help your memory to recall whether you sent him photographs? A. Not no. Q. On June 15th, 2024, after the allision you first learned of the allision from Mr. Baldassare, were you ever on a call regarding the fact of the allision with any with more than one person, like a three-way call, four-way call?

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			April 28, 202
1	Page 62 Moore - April 28, 2025	1	Page 6 / Moore - April 28, 2025
2	Q. Did you give instructions to anyone else	2	You can answer what you know.
3	on behalf of Carver to notify the Coast Guard on	3	A. No.
	June 15th, 2024?	4	Q. I'm not sure that answered my question
5	A. No.	5	the way you intended, but
6	Q. Did you inform the master of the	6	A. Okay. Pause repeat the question.
7	MACKENZIE ROSE that the boat was free to leave	7	Q. Yeah.
8	Norfolk without notifying the Coast Guard?	8	MR. CHAPMAN: Could you read that back
9	A. I did not.	9	for us, please.
0	Q. Do you know of anybody that did?	10	(The record was read.)
1	A. I don't know.	11	A. Correct.
2	Q. When did anyone on behalf of Carver	12	Q. Yeah. Thank you.
3	first notify the US Coast Guard of the allision with	13	Was anybody with Carver Marine Towing
4	the Belt Line Bridge?	14	responsible for investigating the allision?
5	A. I believe it was within 48 hours of	15	A. Nobody directly.
5	Lieutenant Palomba of sector Norfolk. She reached	16	Q. When you say nobody directly, was
7	out to Lenny and spoke to him about it.	17	somebody indirectly responsible?
3	Q. So just so we're clear and it's not	18	A. No. It was more of a team effort,
9	confusing, her name is Lieutenant Palomba?	19	collaborative.
0	A. Yes.	20	Q. So who was in charge? Was it you?
1	Q. Right.	21	A. It would have been Lenny and myself to
2	MR. RODGERS: With an A at the end.	22	look into it.
3	MR. CHAPMAN: I think the yeah. I	23	Q. Okay. When did the tug and barge arrive
4	think the spelling is P-A-L-O-M-B-A, Palombo	24	in New York?
5	Palomba.	25	A. I don't recall.
	Page 63		Page 6
1	Moore - April 28, 2025	1	Moore - April 28, 2025
2	MR. RODGERS: And we're Detective	2	Q. Was it within 48 hours of the allision?
3	Columbo. I don't know.	3	A. Yes.
4	MR. CHAPMAN: Yeah.	4	Q. So as a part of the investigation that
5	Q. So it's your testimony that she	5	you and Mr. Baldassare did, was anybody interviewed?
5	contacted Mr. Baldassare, and then within 48 hours of	6	A. Statements were taken by the crew
7	that initial contact from the Coast Guard, then the	7	from the crew.
8	Coast Guard was notified?	8	Q. When did that happen?
9	A. No. Incorrect.	9	A. The initial statements would have been
)	Q. I misunderstood, then.	10	on the day, and then Lenny met with them in person
1	A. Correct.	11	upon arrival to New York Harbor.
2	So it was within 48 hours of the	12	Q. Was the crew instructed to make
3	incident, I believe, is when Lieutenant contacted	13	statements on the day of the allision?
_	Lenny informing him that the MACKENZIE ROSE did	14	A. Yes. We asked them to provide
	strike the bridge.	15	statements.
4		1 1 6	Q. When you say we, was that communicated
4 5	MR. RODGERS: Just for the record, is	16	
4 5 6	MR. RODGERS: Just for the record, is that your understanding?	17	by you?
4 5 6 7 8	that your understanding? THE WITNESS: Yes.	17 18	A. No. I say we as in Carver, but it would
4 5 6 7 8 9	that your understanding? THE WITNESS: Yes. Q. Okay. And you think that was within	17 18 19	A. No. I say we as in Carver, but it would have been by Lenny to ask them to get statements.
4 5 6 7 8 9	that your understanding? THE WITNESS: Yes. Q. Okay. And you think that was within 48 hours of the allision?	17 18 19 20	A. No. I say we as in Carver, but it would have been by Lenny to ask them to get statements. Q. When did you first see the statements
4 5 6 7 8 9 0	that your understanding? THE WITNESS: Yes. Q. Okay. And you think that was within 48 hours of the allision? A. I believe so, yes.	17 18 19 20 21	A. No. I say we as in Carver, but it would have been by Lenny to ask them to get statements. Q. When did you first see the statements from the crew?
4 5 6 7 8 9 0 1	that your understanding? THE WITNESS: Yes. Q. Okay. And you think that was within 48 hours of the allision? A. I believe so, yes. Q. And then at no time before that had	17 18 19 20 21 22	A. No. I say we as in Carver, but it would have been by Lenny to ask them to get statements. Q. When did you first see the statements from the crew? A. I don't remember.
4 5 6 7 8 9 0 1 2 3	that your understanding? THE WITNESS: Yes. Q. Okay. And you think that was within 48 hours of the allision? A. I believe so, yes. Q. And then at no time before that had Carver or anybody on behalf of Carver informed the	17 18 19 20 21 22 23	A. No. I say we as in Carver, but it would have been by Lenny to ask them to get statements. Q. When did you first see the statements from the crew? A. I don't remember. Q. Were they e-mailed to you?
4 5 6 7 8 9 0 1 2 3	that your understanding? THE WITNESS: Yes. Q. Okay. And you think that was within 48 hours of the allision? A. I believe so, yes. Q. And then at no time before that had	17 18 19 20 21 22	A. No. I say we as in Carver, but it would have been by Lenny to ask them to get statements. Q. When did you first see the statements from the crew? A. I don't remember.

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	Dava 66		April 28, 202
1	Page 66 Moore - April 28, 2025	1	Page 6 Moore - April 28, 2025
2	A. I don't recall if it was the tug or	2	Q. Was there any written report prepared of
3	Lenny.	3	the investigation?
4	O. Does the tug have its own e-mail	4	A. There was
5	account?	5	MR. RODGERS: Objection. Can you be
6	A. It does.	6	more specific.
7	O. And what is the name of that e-mail or	7	MR. CHAPMAN: I don't know that I can.
8	what's the	8	I'm just asking. He's told he's
9	A. I believe it's	9	MR. RODGERS: By who? By Carver or by
LO	tugmackenzie@carvercompanies.com.	10	him, by anybody?
.1	Q. Who has the ability to send e-mails from	11	MR. CHAPMAN: Fair. That's a fair
2	that e-mail address on the tug?	12	inquiry.
.3	A. Anybody on board.	13	Q. Was there ever a written report of the
.4	Q. So it's not are there special login	14	investigation prepared by Carver?
5	credentials required to access that account?	15	A. Of the investigation, no.
.6	A. There's a password for the that	16	Q. So there were statements obtained, but
7	laptop that the crew would have. Primarily, it's	17	no written report prepared?
.8	going to be based they can be coming from the	18	A. Correct.
9	captain or the mate to send e-mails.	19	MR. CHAPMAN: We can go off.
0	Q. Where is that laptop with the e-mail	20	THE VIDEOGRAPHER: We are going off the
1	account located on the tug?	21	record. The time is 11:53 a.m.
2	A. I believe it's still on board.	22	(Discussion held off the record.)
3	Q. Okay. And is it in the wheelhouse or in	23	MR. NANAVATI: Yes, I would like a copy
4	the master's room or	24	of the transcript, please.
5	A. It's in the wheelhouse.	25	MR. JETT: I do not need a copy. Thank
1	Page 67 Moore - April 28, 2025	1	Page 6 Moore - April 28, 2025
2	Q. But it's one password, right? Everybody	2	you.
3	has everybody that wants to use it needs to know	3	THE VIDEOGRAPHER: Beginning Media No.
	inde creatived discourse to the construction	"	
4	that password?	4	2 We are back on the record The time is
	that password?	4 5	2. We are back on the record. The time is
5	A. Yes.	5	12:05 p.m.
5	A. Yes. Q. Okay. Do you know how many statements	5 6	12:05 p.m. BY MR. CHAPMAN:
5 6 7	A. Yes. Q. Okay. Do you know how many statements were taken from the crew?	5 6 7	12:05 p.m. BY MR. CHAPMAN: Q. And just to kind of follow up where we
5 6 7	A. Yes. Q. Okay. Do you know how many statements were taken from the crew? MR. RODGERS: You mean how many crew	5 6 7 8	12:05 p.m. BY MR. CHAPMAN: Q. And just to kind of follow up where we were talking about this investigation that you and
5 6 7 8	A. Yes. Q. Okay. Do you know how many statements were taken from the crew? MR. RODGERS: You mean how many crew members or	5 6 7 8 9	12:05 p.m. BY MR. CHAPMAN: Q. And just to kind of follow up where we were talking about this investigation that you and Mr. Baldassare did.
5 6 7 8 9	A. Yes. Q. Okay. Do you know how many statements were taken from the crew? MR. RODGERS: You mean how many crew members or MR. CHAPMAN: We can start there.	5 6 7 8 9	12:05 p.m. BY MR. CHAPMAN: Q. And just to kind of follow up where we were talking about this investigation that you and Mr. Baldassare did. What photographs did you actually see
5 6 7 8 9	A. Yes. Q. Okay. Do you know how many statements were taken from the crew? MR. RODGERS: You mean how many crew members or MR. CHAPMAN: We can start there. Q. Did everybody every member of the	5 6 7 8 9 10 11	12:05 p.m. BY MR. CHAPMAN: Q. And just to kind of follow up where we were talking about this investigation that you and Mr. Baldassare did. What photographs did you actually see during the course of, I'll call it, that
5 6 7 8 9 .0 .1	A. Yes. Q. Okay. Do you know how many statements were taken from the crew? MR. RODGERS: You mean how many crew members or MR. CHAPMAN: We can start there. Q. Did everybody every member of the crew provide a statement, to your knowledge?	5 6 7 8 9 10 11 12	12:05 p.m. BY MR. CHAPMAN: Q. And just to kind of follow up where we were talking about this investigation that you and Mr. Baldassare did. What photographs did you actually see during the course of, I'll call it, that investigation?
5 6 7 8 9 .0 .1 .2 .3	A. Yes. Q. Okay. Do you know how many statements were taken from the crew? MR. RODGERS: You mean how many crew members or MR. CHAPMAN: We can start there. Q. Did everybody every member of the crew provide a statement, to your knowledge? A. To my knowledge.	5 6 7 8 9 10 11 12 13	12:05 p.m. BY MR. CHAPMAN: Q. And just to kind of follow up where we were talking about this investigation that you and Mr. Baldassare did. What photographs did you actually see during the course of, I'll call it, that investigation? A. There's a set of the photos of the
5 6 7 8 9 0 1 2 3	A. Yes. Q. Okay. Do you know how many statements were taken from the crew? MR. RODGERS: You mean how many crew members or MR. CHAPMAN: We can start there. Q. Did everybody every member of the crew provide a statement, to your knowledge? A. To my knowledge. Q. And did they provide more than one	5 6 7 8 9 10 11 12	12:05 p.m. BY MR. CHAPMAN: Q. And just to kind of follow up where we were talking about this investigation that you and Mr. Baldassare did. What photographs did you actually see during the course of, I'll call it, that investigation?
5 6 7 8 9 .0 .1 .2 .3	A. Yes. Q. Okay. Do you know how many statements were taken from the crew? MR. RODGERS: You mean how many crew members or MR. CHAPMAN: We can start there. Q. Did everybody every member of the crew provide a statement, to your knowledge? A. To my knowledge. Q. And did they provide more than one statement or did they only provide one statement?	5 6 7 8 9 10 11 12 13 14 15	12:05 p.m. BY MR. CHAPMAN: Q. And just to kind of follow up where we were talking about this investigation that you and Mr. Baldassare did. What photographs did you actually see during the course of, I'll call it, that investigation? A. There's a set of the photos of the barge, the bow, port, starboard and stern I believe the stern and then the one that beam photo
5 6 7 8 9 0 1 2 3 4 5 6	A. Yes. Q. Okay. Do you know how many statements were taken from the crew? MR. RODGERS: You mean how many crew members or MR. CHAPMAN: We can start there. Q. Did everybody every member of the crew provide a statement, to your knowledge? A. To my knowledge. Q. And did they provide more than one statement or did they only provide one statement? A. They provided a handwritten statement,	5 6 7 8 9 10 11 12 13 14	12:05 p.m. BY MR. CHAPMAN: Q. And just to kind of follow up where we were talking about this investigation that you and Mr. Baldassare did. What photographs did you actually see during the course of, I'll call it, that investigation? A. There's a set of the photos of the barge, the bow, port, starboard and stern I believe the stern and then the one that beam photo from the bridge I'm sorry, from the wheelhouse of
5 6 7 8 9 0 1 .2 .3 .4 .5 .6	A. Yes. Q. Okay. Do you know how many statements were taken from the crew? MR. RODGERS: You mean how many crew members or MR. CHAPMAN: We can start there. Q. Did everybody every member of the crew provide a statement, to your knowledge? A. To my knowledge. Q. And did they provide more than one statement or did they only provide one statement? A. They provided a handwritten statement, and usually handwritten statements are illegible and	5 6 7 8 9 10 11 12 13 14 15 16	12:05 p.m. BY MR. CHAPMAN: Q. And just to kind of follow up where we were talking about this investigation that you and Mr. Baldassare did. What photographs did you actually see during the course of, I'll call it, that investigation? A. There's a set of the photos of the barge, the bow, port, starboard and stern I believe the stern and then the one that beam photo from the bridge I'm sorry, from the wheelhouse of looking west towards the bridge, and that's it.
5 6 7 8 9 .0 .1 .2 .3 .4 .5 .6	A. Yes. Q. Okay. Do you know how many statements were taken from the crew? MR. RODGERS: You mean how many crew members or MR. CHAPMAN: We can start there. Q. Did everybody every member of the crew provide a statement, to your knowledge? A. To my knowledge. Q. And did they provide more than one statement or did they only provide one statement? A. They provided a handwritten statement, and usually handwritten statements are illegible and not clear, and that we would ask them to retype it	5 6 7 8 9 10 11 12 13 14 15 16 17	12:05 p.m. BY MR. CHAPMAN: Q. And just to kind of follow up where we were talking about this investigation that you and Mr. Baldassare did. What photographs did you actually see during the course of, I'll call it, that investigation? A. There's a set of the photos of the barge, the bow, port, starboard and stern I believe the stern and then the one that beam photo from the bridge I'm sorry, from the wheelhouse of looking west towards the bridge, and that's it. MR. RODGERS: Off the record.
7 8 9 10 11 12 13 14 15 16 17 18	A. Yes. Q. Okay. Do you know how many statements were taken from the crew? MR. RODGERS: You mean how many crew members or MR. CHAPMAN: We can start there. Q. Did everybody every member of the crew provide a statement, to your knowledge? A. To my knowledge. Q. And did they provide more than one statement or did they only provide one statement? A. They provided a handwritten statement, and usually handwritten statements are illegible and not clear, and that we would ask them to retype it up. Lenny would have had them type it up.	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	12:05 p.m. BY MR. CHAPMAN: Q. And just to kind of follow up where we were talking about this investigation that you and Mr. Baldassare did. What photographs did you actually see during the course of, I'll call it, that investigation? A. There's a set of the photos of the barge, the bow, port, starboard and stern I believe the stern and then the one that beam photo from the bridge I'm sorry, from the wheelhouse of looking west towards the bridge, and that's it. MR. RODGERS: Off the record. (Discussion held off the record.)
5 6 7 8 9 .0 .1 .2 .3 .4 .5 .6 .7 .8	A. Yes. Q. Okay. Do you know how many statements were taken from the crew? MR. RODGERS: You mean how many crew members or MR. CHAPMAN: We can start there. Q. Did everybody every member of the crew provide a statement, to your knowledge? A. To my knowledge. Q. And did they provide more than one statement or did they only provide one statement? A. They provided a handwritten statement, and usually handwritten statements are illegible and not clear, and that we would ask them to retype it up. Lenny would have had them type it up. Q. And what was the purpose of getting	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	12:05 p.m. BY MR. CHAPMAN: Q. And just to kind of follow up where we were talking about this investigation that you and Mr. Baldassare did. What photographs did you actually see during the course of, I'll call it, that investigation? A. There's a set of the photos of the barge, the bow, port, starboard and stern I believe the stern and then the one that beam photo from the bridge I'm sorry, from the wheelhouse of looking west towards the bridge, and that's it. MR. RODGERS: Off the record. (Discussion held off the record.) MR. CHAPMAN: Let's mark this as
5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	A. Yes. Q. Okay. Do you know how many statements were taken from the crew? MR. RODGERS: You mean how many crew members or MR. CHAPMAN: We can start there. Q. Did everybody every member of the crew provide a statement, to your knowledge? A. To my knowledge. Q. And did they provide more than one statement or did they only provide one statement? A. They provided a handwritten statement, and usually handwritten statements are illegible and not clear, and that we would ask them to retype it up. Lenny would have had them type it up. Q. And what was the purpose of getting statements?	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	12:05 p.m. BY MR. CHAPMAN: Q. And just to kind of follow up where we were talking about this investigation that you and Mr. Baldassare did. What photographs did you actually see during the course of, I'll call it, that investigation? A. There's a set of the photos of the barge, the bow, port, starboard and stern I believe the stern and then the one that beam photo from the bridge I'm sorry, from the wheelhouse of looking west towards the bridge, and that's it. MR. RODGERS: Off the record. (Discussion held off the record.) MR. CHAPMAN: Let's mark this as Exhibit 1, please.
5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A. Yes. Q. Okay. Do you know how many statements were taken from the crew? MR. RODGERS: You mean how many crew members or MR. CHAPMAN: We can start there. Q. Did everybody every member of the crew provide a statement, to your knowledge? A. To my knowledge. Q. And did they provide more than one statement or did they only provide one statement? A. They provided a handwritten statement, and usually handwritten statements are illegible and not clear, and that we would ask them to retype it up. Lenny would have had them type it up. Q. And what was the purpose of getting statements? MR. RODGERS: Objection to form.	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	12:05 p.m. BY MR. CHAPMAN: Q. And just to kind of follow up where we were talking about this investigation that you and Mr. Baldassare did. What photographs did you actually see during the course of, I'll call it, that investigation? A. There's a set of the photos of the barge, the bow, port, starboard and stern I believe the stern and then the one that beam photo from the bridge I'm sorry, from the wheelhouse of looking west towards the bridge, and that's it. MR. RODGERS: Off the record. (Discussion held off the record.) MR. CHAPMAN: Let's mark this as Exhibit 1, please. (Exhibit 1, Copy of Photo, marked for
5 6 7 8	A. Yes. Q. Okay. Do you know how many statements were taken from the crew? MR. RODGERS: You mean how many crew members or MR. CHAPMAN: We can start there. Q. Did everybody every member of the crew provide a statement, to your knowledge? A. To my knowledge. Q. And did they provide more than one statement or did they only provide one statement? A. They provided a handwritten statement, and usually handwritten statements are illegible and not clear, and that we would ask them to retype it up. Lenny would have had them type it up. Q. And what was the purpose of getting statements?	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	12:05 p.m. BY MR. CHAPMAN: Q. And just to kind of follow up where we were talking about this investigation that you and Mr. Baldassare did. What photographs did you actually see during the course of, I'll call it, that investigation? A. There's a set of the photos of the barge, the bow, port, starboard and stern I believe the stern and then the one that beam photo from the bridge I'm sorry, from the wheelhouse of looking west towards the bridge, and that's it. MR. RODGERS: Off the record. (Discussion held off the record.) MR. CHAPMAN: Let's mark this as Exhibit 1, please.

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			April 28, 2025
1	Page 70 Moore - April 28, 2025	1	Page 72 Moore - April 28, 2025
1 2	production in discovery in this case, and this is as	1 2	collection.
3	good as it gets, the image, when you look at it this	3	Q. And this barge was laden with cargo,
4	way. It's a digital thing, but it says it's just	4	correct?
5	a thumbnail, so it's not like the full size.	5	A. Yes. It had special project cargo on
6	A. Okay.	6	deck.
7	O. Okay. But is this one of the	7	Q. Which was bound for where?
8	photographs that you received as or reviewed as	8	A. The Hackensack River, New York Harbor.
9	part of your investigation?	9	Q. Was there a bridge project going up
10	A. Yes, sir.	10	there that you were supporting?
11	Q. Okay. Do you know where the original	11	A. Yes.
12	native digital photograph is that would allow us to	12	Q. Who was your customer for this transit?
13	see this more clearly?	13	A. I actually don't know who the exact
14	A. I don't know exactly, but it would have	14	customer it was for.
15	came from MACKENZIE ROSE's boat phone.	15	Q. Somebody building the bridge?
16	Q. All right. Okay. And I'm going to have	16	A. Yes. Skanska was building the bridge,
17	a similar set of questions.	17	and who we'd be working with. I don't know if this
18	MR. RODGERS: Off the record.	18	was directly by them or who signed us up for it.
19	(Discussion held off the record.)	19	Q. Did you have all of the towing related
20	MR. CHAPMAN: Mark this as 2, please.	20	to the construction of this bridge?
21	(Exhibit 2, Copy of Photos, marked for	21	A. Not all of it.
22	identification, as of this date.)	22	O. But some of it?
23	MR. CHAPMAN: Here is a copy for you.	23	A. Yes.
24	Q. You've been passed some photographs that	24	Q. So how was Carver going to be paid for
25	are collectively marked as Exhibit 2, labeled Carver	25	towing whatever was on this barge up to that bridge
25	are confectively marked as Emiliate 2, Tabeled Carver	25	towing whatever was on this sarge up to that bridge
1	Page 71		Page 73
1	Moore - April 28, 2025	1	Moore - April 28, 2025
2	00245 through Carver 00248, that appear to depict a	2	project in Hackensack?
3	barge.	3	A. I
4	Are these photos that you reviewed	4	MR. RODGERS: Just you mean who was
5	during your investigation with Mr. Baldassare?	5	going to pay him or
6	A. Yes.	6	MR. CHAPMAN: Yeah.
7	Q. These all appear to depict the rake end	7	MR. RODGERS: Yeah. Okay.
8	of a barge. Would you agree?	8	MR. CHAPMAN: That's what I'm asking.
9	A. Yes. This would be the bow.	9	A. Yeah. I don't know exactly. I would
10	Q. Okay. So you had mentioned that you saw	10	have to refer to the terms and conditions, the
11	some photos of the port and starboard and stern of	11	agreements.
12	the barge as well.	12	Q. Do you know how much you were being paid
13	A. I I wasn't sure of the stern, but	13	for each trip?
14	when I had referenced to the port/starboard, I mean	14	A. I don't know.
15	like you could see the port. I guess you can't quite	15	Q. Where would that information reside?
16	see the starboard side, but I knew I was able to see	16	A. It would be with accounting.
17	the side of it as well, too.	17	Q. So just kind of part of your P&L
18	Q. All right. So Carver 00248, you're	18	responsibility?
	saying depicts the an angle of the port side of	19	A. Yes.
19	13. 1.	1 .3(1)	Q. But you just don't have it like
19 20	the barge, correct?	20	1 11 1 6 1 1 1 10
19 20 21	A. Correct.	21	immediately of mind, right?
19 20 21 22	A. Correct. Q. Okay.	21 22	A. Correct.
19 20 21 22 23	A. Correct. Q. Okay. MR. RODGERS: Which one is that?	21 22 23	A. Correct. Q. Okay. But there would have been some
19 20 21 22	A. Correct. Q. Okay.	21 22	A. Correct.

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			April 28, 2025
_	Page 74		Page 76
1	Moore - April 28, 2025	1	Moore - April 28, 2025
2	Q. I'm going to get out a copy of it in a	2	marked a copy of a report marked as Exhibit 3
3	little bit, but one of the documents that was	3	covering Carver Bates labels 00829 through 00847.
4	produced to us in this case was a report of an	4	A. Yes, sir.
5	allision when Captain Morrissey was at the wheel of	5	Q. Okay. Is this the report that was
6	the MACKENZIE ROSE in January of 2024, when he hit a	6	filled out in for the incident in January of 2024
7	pier in or near Charleston, South Carolina.	7	when Captain Morrissey, while at the helm, hit a
8	A. Yes, sir.	8	pier?
9	Q. Do you recall that?	9	A. Yes, sir.
10	A. I do.	10	Q. Okay. So my question is was a report
11	Q. That report is on a form a company	11	like this filled out for the Belt Line Bridge
12	form that says like 9.5 incident report or something	12	allision on June 15th, 2024?
13	like that on it.	13	A. I don't recall. I would have to
14	A. Okay.	14	reference.
15	Q. Okay?	15	Q. Okay. How would you go check to see if
16	Was a form like that ever prepared for	16	there was such a report or a
17	this allision with the Belt Line Bridge?	17	A. It would all be through the Helm
18	MR. RODGERS: Just could you show him	18	operating system.
19	the form that you're referring to.	19	Q. And you're referring to a logo on page 1
20	MR. CHAPMAN: It'd take me a minute to	20	of Exhibit 3 that says Helm?
21	find it. So	21	A. Yes, sir.
22	MS. WERNER: Would you like the Bates	22	Q. Tell us about that.
23	label, Jim? This is Rachel Werner. Jim needs	23	A. The Helm operating system is our overall
24	the Bates label. I'm happy to read it to him so	24	component where tugs will enter in daily logs,
25	he can provide the witness the document.	25	entries, position reports. It's part of our
		l .	
	Page 75		Page 77
1	Moore - April 28, 2025	1	Moore - April 28, 2025
2	Moore - April 28, 2025 MR. RODGERS: So she's getting you the	2	Moore - April 28, 2025 preventive maintenance system if tugs have issues.
2	Moore - April 28, 2025 MR. RODGERS: So she's getting you the Bates number.	2	Moore - April 28, 2025 preventive maintenance system if tugs have issues. So to submit repair tickets, and also, part of the
2 3 4	Moore - April 28, 2025 MR. RODGERS: So she's getting you the Bates number. MR. CHAPMAN: Yeah, one second.	2 3 4	Moore - April 28, 2025 preventive maintenance system if tugs have issues. So to submit repair tickets, and also, part of the near misses and incident reports and everything else.
2 3 4 5	Moore - April 28, 2025 MR. RODGERS: So she's getting you the Bates number. MR. CHAPMAN: Yeah, one second. MR. RODGERS: You know, why don't I get	2 3 4 5	Moore - April 28, 2025 preventive maintenance system if tugs have issues. So to submit repair tickets, and also, part of the near misses and incident reports and everything else. Q. And it looks to me like there's a number
2 3 4 5 6	Moore - April 28, 2025 MR. RODGERS: So she's getting you the Bates number. MR. CHAPMAN: Yeah, one second. MR. RODGERS: You know, why don't I get my Bates number docs, okay? Maybe we can	2 3 4 5	Moore - April 28, 2025 preventive maintenance system if tugs have issues. So to submit repair tickets, and also, part of the near misses and incident reports and everything else. Q. And it looks to me like there's a number of fields that have to be filled in as part of
2 3 4 5 6 7	Moore - April 28, 2025 MR. RODGERS: So she's getting you the Bates number. MR. CHAPMAN: Yeah, one second. MR. RODGERS: You know, why don't I get my Bates number docs, okay? Maybe we can Jim?	2 3 4 5 6 7	Moore - April 28, 2025 preventive maintenance system if tugs have issues. So to submit repair tickets, and also, part of the near misses and incident reports and everything else. Q. And it looks to me like there's a number of fields that have to be filled in as part of preparing this report, right?
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			April 28, 2025
	Page 78	_	Page 80
1	Moore - April 28, 2025	1	Moore - April 28, 2025
2	You can pull up these reports at any time.	2	of my head. Our Charleston team was handling that
3	Q. And but if somebody is still	3	since it's their area.
4	currently with the company, it wouldn't say inactive	4	Q. And this says if we go back to page 1
5	after their name?	5	of Exhibit 3, it says that it was filled I assume
6	A. Correct.	6	that means filled out, on January 22nd of 2024 at
7	Q. Okay. So on the first page, it says it	7	0855 hours, right?
8	was filled by Brandon Kuster.	8	A. Yes, sir.
9	A. Yes.	9	Q. So it's just before 9 a.m., right?
10	Q. Who is Brandon Kuster?	10	Right?
11	A. He's a captain with Carver Marine	11	A. Oh, yes. Sorry. Yes.
12	Towing.	12	Q. I'm not saying that's the time of the
13	Q. Was he the master of the MACKENZIE ROSE	13	accident, I'm saying that that's when the form was
14	on the date of this allision that's reported in	14	completed
15	Exhibit 3?	15	A. Correct.
16	A. I don't believe so. I believe he was	16	Q right?
17	sailing as mate. Still as a captain, but sailing as	17	MR. RODGERS: To his knowledge, also.
18	mate.	18	A. Yes, to my knowledge.
19	Q. So would Morrissey have been the master	19	MR. RODGERS: Well, he's got to ask you
20	of the vessel at the time this allision occurred?	20	that.
21	A. Yes.	21	THE WITNESS: I wasn't there, but
22	Q. Is there a reason that Morrissey doesn't	22	Q. Yeah.
23	fill the form out himself?	23	Have you ever completed one of these
24	A. Not that I would know.	24	forms yourself?
25	Q. If you can go to page 00832,	25	A. I have not.
	Page 79		Page 81
1	Moore - April 28, 2025	1	Moore - April 28, 2025
2	Section 4.8. It looks like there's a question or a	2	O Olrare At the end on page 000046 of
		4	Q. Okay. At the end on page 000846 of
3	field to be completed about property damage.	3	Exhibit 3, it references at the bottom of that page
3 4	field to be completed about property damage. A. Yes, sir.	3 4	
	A. Yes, sir. Q. And it says Occurrence causing project	3	Exhibit 3, it references at the bottom of that page
4	A. Yes, sir.	3 4	Exhibit 3, it references at the bottom of that page Attachments. A. Yes. Q. Do you see that?
4 5	A. Yes, sir. Q. And it says Occurrence causing project	3 4 5	Exhibit 3, it references at the bottom of that page Attachments. A. Yes.
4 5 6	A. Yes, sir. Q. And it says Occurrence causing project damage in excess of \$75,000.	3 4 5 6	Exhibit 3, it references at the bottom of that page Attachments. A. Yes. Q. Do you see that? And then you got to go the next page to see what they are. But it looks like there's a
4 5 6 7	A. Yes, sir. Q. And it says Occurrence causing project damage in excess of \$75,000. Do you know why that figure is in this	3 4 5 6 7	Exhibit 3, it references at the bottom of that page Attachments. A. Yes. Q. Do you see that? And then you got to go the next page to
4 5 6 7	A. Yes, sir. Q. And it says Occurrence causing project damage in excess of \$75,000. Do you know why that figure is in this report? A. I believe that is auto populated through Helm as the or was, I believe, the Coast Guard	3 4 5 6 7 8	Exhibit 3, it references at the bottom of that page Attachments. A. Yes. Q. Do you see that? And then you got to go the next page to see what they are. But it looks like there's a
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4 5 6 7 8 9 10 11	A. Yes, sir. Q. And it says Occurrence causing project damage in excess of \$75,000. Do you know why that figure is in this report? A. I believe that is auto populated through Helm as the or was, I believe, the Coast Guard	3 4 5 6 7 8 9 10 11 12	Exhibit 3, it references at the bottom of that page Attachments. A. Yes. Q. Do you see that? And then you got to go the next page to see what they are. But it looks like there's a Witness Statement from every member of the crew? Is that is that what we're seeing here? A. To my knowledge, yes.
4 5 6 7 8 9 10 11	A. Yes, sir. Q. And it says Occurrence causing project damage in excess of \$75,000. Do you know why that figure is in this report? A. I believe that is auto populated through Helm as the or was, I believe, the Coast Guard threshold for reportable incidents. Q. Okay. And is Done part of a drop-down menu?	3 4 5 6 7 8 9 10	Exhibit 3, it references at the bottom of that page Attachments. A. Yes. Q. Do you see that? And then you got to go the next page to see what they are. But it looks like there's a Witness Statement from every member of the crew? Is that is that what we're seeing here?
4 5 6 7 8 9 10 11	A. Yes, sir. Q. And it says Occurrence causing project damage in excess of \$75,000. Do you know why that figure is in this report? A. I believe that is auto populated through Helm as the or was, I believe, the Coast Guard threshold for reportable incidents. Q. Okay. And is Done part of a drop-down menu? A. I don't I don't know.	3 4 5 6 7 8 9 10 11 12	Exhibit 3, it references at the bottom of that page Attachments. A. Yes. Q. Do you see that? And then you got to go the next page to see what they are. But it looks like there's a Witness Statement from every member of the crew? Is that is that what we're seeing here? A. To my knowledge, yes.
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4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	A. Yes, sir. Q. And it says Occurrence causing project damage in excess of \$75,000. Do you know why that figure is in this report? A. I believe that is auto populated through Helm as the or was, I believe, the Coast Guard threshold for reportable incidents. Q. Okay. And is Done part of a drop-down menu? A. I don't I don't know. Q. Okay. Did you understand that the damage caused to the pier in this allision in January of 2024 exceeded \$75,000? A. At the time, nobody knew what the damage would cost. Q. And did you since learn that it was in excess of \$75,000? A. Did I what? Q. Did you have you since learned the damage was in excess of \$75,000 to the pier?	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	Exhibit 3, it references at the bottom of that page Attachments. A. Yes. Q. Do you see that? And then you got to go the next page to see what they are. But it looks like there's a Witness Statement from every member of the crew? Is that is that what we're seeing here? A. To my knowledge, yes. Q. Okay. And it was like a looks like it's a Word document, docx, as the file type? A. I believe so. Q. Those attachments, though, aren't printed as part of this exhibit we're looking at, correct? A. They're not in this exhibit, no. Q. So we don't know but presumably, they exist in your system somewhere, right? A. Yes.
4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A. Yes, sir. Q. And it says Occurrence causing project damage in excess of \$75,000. Do you know why that figure is in this report? A. I believe that is auto populated through Helm as the or was, I believe, the Coast Guard threshold for reportable incidents. Q. Okay. And is Done part of a drop-down menu? A. I don't I don't know. Q. Okay. Did you understand that the damage caused to the pier in this allision in January of 2024 exceeded \$75,000? A. At the time, nobody knew what the damage would cost. Q. And did you since learn that it was in excess of \$75,000? A. Did I what? Q. Did you have you since learned the	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Exhibit 3, it references at the bottom of that page Attachments. A. Yes. Q. Do you see that? And then you got to go the next page to see what they are. But it looks like there's a Witness Statement from every member of the crew? Is that is that what we're seeing here? A. To my knowledge, yes. Q. Okay. And it was like a looks like it's a Word document, docx, as the file type? A. I believe so. Q. Those attachments, though, aren't printed as part of this exhibit we're looking at, correct? A. They're not in this exhibit, no. Q. So we don't know but presumably, they exist in your system somewhere, right? A. Yes. Q. Okay. And if you look on Carver 00845

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		B 01			April 28, 2025
1		Page 82 Moore - April 28, 2025	' 1		Page 84 Moore - April 28, 2025
2	A.	Yes.	2		MR. CHAPMAN: Well, I
3	Q.	And somebody's entered Done, right?	3		MR. RODGERS: Like the wind speed?
4	Α.	Yes, sir.	4	Q.	So if you continue on page 34 excuse
5	Q.	So and then right below at 19.9,	5	-	834. It's got the air temperature, wind
6	-	om Chemical Testing, says Immediate swap	6		d direction, water speed, that it was an
7		as negative, and crew was sent to clinic	7		
8		testing. All negative. Right?	8	A.	Yes, sir.
9	A.	Yes, that's what it says.	9	Q.	And the sea state at zero.
10	0.	So would there be some chemical testing	10	٧.	Presumably no chop
11	~ .	the crew members as part of this	11	Α.	Correct.
12	investigati		12	Q.	right? Okay.
13	A.	Yes.	13	Q.	MR. RODGERS: Are you going to be asking
			14	him .	about the wind speed?
14	Q.	Okay. But they're not part of this		IIIIII	<u>-</u>
15 16		eport. They're not attached to it or	15	doni	MR. CHAPMAN: No, but you can when you
	Α.	Correct.		decr	de to follow up.
17	Q.	Where would they live in your system?	17		MR. RODGERS: Oh, okay.
18	A.	I don't know. I I don't know. I	18		MR. CHAPMAN: I think it's accurately
19		so in Helm, but not sure off the top of my	19		t's been recorded there, and it says what it
20	head.	1 111 1 5 1 5	20	-	. So
21	Q.	Is there like a personnel file for each	21	Q.	Is there any place in this form where
22		the towing company?	22		entry regarding whether a lookout was
23	Α.	Yes, there is.	23	-	the time of the incident?
24	Q.	And is that in an electronic employment	24	A.	I don't know.
25	file or is	there like a folder with, you know, paper	25		MR. RODGERS: For the record, this is
		Page 83	;		Page 85
1		Moore - April 28, 2025	1		Moore - April 28, 2025
2	documents o	or copies of things in it, too?	2	the d	January incident, right?
3	A.	I don't know, actually. That's all	3		MR. CHAPMAN: Correct.
4	•	I don't have access to the HR files.	4		MR. RODGERS: Okay. Thanks.
5	Q.	Do you know whether it's required that	5	Q.	On page 000840, it describes it has
6		s of chemical testing be included in their	6	Damage to 1	Property under Section 12.
7	personnel f	iles?	7		Do you see that?
8	A.	I don't know.	8	A.	Yes, sir.
9	Q.	With respect to the conditions at the	9	Q.	And it says under 12.1 that the property
10	time of thi	s incident, if you could take a look at	10	is the cor	ner of Pier K, piling on north side of the
11	Carver 0008	3.	11	dock	
12	A.	830?	12	A.	Correct.
13	Q.	Yeah, 833.	13	Q.	right?
14	A.	Oh, 833. Got it.	14		And then the owner of the property is
15	Q.	And just confirming, it says the weather	15	Stevens To	wing.
16	was clear,	right?	16		Is Stevens owned by Carver?
17	A.	Yes.	17	A.	No.
- '	^	It was daylight hours?	18	Q.	So this is presumably Stevens Towing's
18	Q.	Yes.	19	dock?	
	Q. A.		1		MR. RODGERS: And
18		Visibility was good?	20		THE RODOLING TIES
18 19	Α.	Visibility was good? Yes.	20 21	A.	It's actually the sorry. It's
18 19 20	A. Q.				
18 19 20 21	A. Q. A.	Yes.	21		It's actually the sorry. It's
18 19 20 21 22	A. Q. A. Q.	Yes. Up to 10 miles?	21 22	actually th	It's actually the sorry. It's he Port Authority's dock.

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				April 28, 2025
1		Page 86 Moore - April 28, 2025	1	Page 88 Moore - April 28, 2025
2	dock was da	_	2	menu, and then they would designate it from there.
3	A.	Correct. Stevens Towing leases it out	3	Q. Okay.
4	from them.	correct. Secretar forming fearer to out	4	A. But the tags could also just be a
5	0.	Okay.	5	reference to searchability within the system.
6	۷.	As part of your investigation of the	6	Q. Do employees ever get, I'll say,
7	Relt Line R	ridge allision, the one in June of 2024,	7	reprimanded or disciplined in any way from messing
8		whether Will Gedney was contacted at all	8	stuff up?
9	-	that allision on June 15th, 2024?	9	MR. RODGERS: Objection to form.
10	A.	I don't know.	10	You can answer if you understand it.
11	0.	Do you know who the dispatcher was on	11	A. Within Carver companies?
12	~	duty at that time?	12	Q. Yeah, I'll rephrase.
13	A.	Not to my knowledge right now.	13	Do employees of Carver Marine Towing
14	Q.	Do you have a dispatcher on 24/7?	14	ever get disciplined for damaging property?
15	Q. A.	Yes.	15	A. There's a formal write-up within Carver
			16	-
16 17	Q.	Is there any log of calls made to or by her as they occur?	17	companies. I don't recall of any formal write-ups. It would go through HR for write-ups and discipline
18	-	ner as they occur? Like a documented call log?	18	actions.
19	A. Q.	Yes.	19	Q. So would somebody from HR be completely
20	-			
21	A. Q.	No.	20 21	responsible for that or would there be somebody at the towing company that had to initiate it or sort of
	_	How would the tug reach the dispatcher	22	
22		t the need to contact the dispatch; cell		spell out what the issue was?
23 24	phone?	Call whoma area	23	A. Correct. It would be it would go
25	A.	Cell phone, yes.	24	through us for that. It would be I say us; that's
25	Q.	And just so I'm clear, to your	25	Carver Marine Towing. But it could go through
1		Page 87		Page 89
1	1	Moore - April 28, 2025	1	Moore - April 28, 2025
2	9 .	you don't know whether such an incident	3	somebody at Carver Marine Towing to initiate the disciplinary action.
	=	Exhibit 3 was prepared for the allision		
4		lt Line Bridge that took place that	4	Q. And how do you get that process started?
5		June 15th, 2024?	5	Is there some form you have to fill out, or is it
6	A.	Not to my knowledge right now, of its	6	just pick up the phone and call somebody in HR and
7 8		r nonexistence.	7	say hey, I need to do this?
Ŭ		Can you go into the Helm system and look	8	A. It's as
^	for it?		9	Q. How does it work?
9	•		10	3
10	A.	Yes, sir.	10	A simple as a phone call. It could be
10 11	Q.	Just put in the date or	11	e-mail. Because I've don't recall seeing any of
10 11 12	Q. A.	Just put in the date or Yep. You can	11 12	e-mail. Because I've don't recall seeing any of the Carver Marine Towing reports for disciplinary
10 11 12 13	Q. A. Q.	Just put in the date or Yep. You can and the vessel?	11 12 13	e-mail. Because I've don't recall seeing any of the Carver Marine Towing reports for disciplinary action. It's all a Carver companies' form.
10 11 12 13 14	Q. A. Q. A.	Just put in the date or Yep. You can and the vessel? You can reference incidents by vessels.	11 12 13 14	e-mail. Because I've don't recall seeing any of the Carver Marine Towing reports for disciplinary action. It's all a Carver companies' form. Q. Was Captain Morrissey disciplined for
10 11 12 13 14 15	Q. A. Q. A. Q.	Just put in the date or Yep. You can and the vessel? You can reference incidents by vessels. Okay. So this on page 1 of	11 12 13 14 15	e-mail. Because I've don't recall seeing any of the Carver Marine Towing reports for disciplinary action. It's all a Carver companies' form. Q. Was Captain Morrissey disciplined for damaging the South Carolina Port Authority dock in
10 11 12 13 14 15 16	Q. A. Q. A. Q. Exhibit 3,	Just put in the date or Yep. You can and the vessel? You can reference incidents by vessels. Okay. So this on page 1 of it says there's a tag incident, right?	11 12 13 14 15 16	e-mail. Because I've don't recall seeing any of the Carver Marine Towing reports for disciplinary action. It's all a Carver companies' form. Q. Was Captain Morrissey disciplined for damaging the South Carolina Port Authority dock in January of 2024?
10 11 12 13 14 15 16 17	Q. A. Q. A. Q. Exhibit 3,	Just put in the date or Yep. You can and the vessel? You can reference incidents by vessels. Okay. So this on page 1 of it says there's a tag incident, right? Yes.	11 12 13 14 15 16 17	e-mail. Because I've don't recall seeing any of the Carver Marine Towing reports for disciplinary action. It's all a Carver companies' form. Q. Was Captain Morrissey disciplined for damaging the South Carolina Port Authority dock in January of 2024? A. For that incident, no.
10 11 12 13 14 15 16 17	Q. A. Q. A. Q. Exhibit 3, A. Q.	Just put in the date or Yep. You can and the vessel? You can reference incidents by vessels. Okay. So this on page 1 of it says there's a tag incident, right? Yes. You see that there?	11 12 13 14 15 16 17 18	e-mail. Because I've don't recall seeing any of the Carver Marine Towing reports for disciplinary action. It's all a Carver companies' form. Q. Was Captain Morrissey disciplined for damaging the South Carolina Port Authority dock in January of 2024? A. For that incident, no. Q. Did anybody counsel him or
10 11 12 13 14 15 16 17 18 19	Q. A. Q. A. Q. Exhibit 3, A. Q. A.	Just put in the date or Yep. You can and the vessel? You can reference incidents by vessels. Okay. So this on page 1 of it says there's a tag incident, right? Yes. You see that there? Yes, sir.	11 12 13 14 15 16 17 18 19	e-mail. Because I've don't recall seeing any of the Carver Marine Towing reports for disciplinary action. It's all a Carver companies' form. Q. Was Captain Morrissey disciplined for damaging the South Carolina Port Authority dock in January of 2024? A. For that incident, no. Q. Did anybody counsel him or A. We interviewed him and spoke to him
10 11 12 13 14 15 16 17 18 19	Q. A. Q. A. Q. Exhibit 3, A. Q. A. Q.	Just put in the date or Yep. You can and the vessel? You can reference incidents by vessels. Okay. So this on page 1 of it says there's a tag incident, right? Yes. You see that there? Yes, sir. What other tags are there for an	11 12 13 14 15 16 17 18 19 20	e-mail. Because I've don't recall seeing any of the Carver Marine Towing reports for disciplinary action. It's all a Carver companies' form. Q. Was Captain Morrissey disciplined for damaging the South Carolina Port Authority dock in January of 2024? A. For that incident, no. Q. Did anybody counsel him or A. We interviewed him and spoke to him about the incidents, and we didn't deem it necessary
10 11 12 13 14 15 16 17 18 19 20 21	Q. A. Q. A. Q. Exhibit 3, A. Q. A. Q. incident re	Just put in the date or Yep. You can and the vessel? You can reference incidents by vessels. Okay. So this on page 1 of it says there's a tag incident, right? Yes. You see that there? Yes, sir. What other tags are there for an port event like this?	11 12 13 14 15 16 17 18 19 20 21	e-mail. Because I've don't recall seeing any of the Carver Marine Towing reports for disciplinary action. It's all a Carver companies' form. Q. Was Captain Morrissey disciplined for damaging the South Carolina Port Authority dock in January of 2024? A. For that incident, no. Q. Did anybody counsel him or A. We interviewed him and spoke to him about the incidents, and we didn't deem it necessary given the fact that the the way the departure was
10 11 12 13 14 15 16 17 18 19 20 21 22	Q. A. Q. A. Q. Exhibit 3, A. Q. A. Q. incident re	Just put in the date or Yep. You can and the vessel? You can reference incidents by vessels. Okay. So this on page 1 of it says there's a tag incident, right? Yes. You see that there? Yes, sir. What other tags are there for an port event like this? I don't know exactly.	11 12 13 14 15 16 17 18 19 20 21	e-mail. Because I've don't recall seeing any of the Carver Marine Towing reports for disciplinary action. It's all a Carver companies' form. Q. Was Captain Morrissey disciplined for damaging the South Carolina Port Authority dock in January of 2024? A. For that incident, no. Q. Did anybody counsel him or A. We interviewed him and spoke to him about the incidents, and we didn't deem it necessary given the fact that the the way the departure was with the winds and currents and the sets that he
10 11 12 13 14 15 16 17 18 19 20 21 22 23	Q. A. Q. Exhibit 3, A. Q. A. Q. incident re	Just put in the date or Yep. You can and the vessel? You can reference incidents by vessels. Okay. So this on page 1 of it says there's a tag incident, right? Yes. You see that there? Yes, sir. What other tags are there for an port event like this? I don't know exactly. Right now, do you know if that's a	11 12 13 14 15 16 17 18 19 20 21 22 23	e-mail. Because I've don't recall seeing any of the Carver Marine Towing reports for disciplinary action. It's all a Carver companies' form. Q. Was Captain Morrissey disciplined for damaging the South Carolina Port Authority dock in January of 2024? A. For that incident, no. Q. Did anybody counsel him or A. We interviewed him and spoke to him about the incidents, and we didn't deem it necessary given the fact that the the way the departure was with the winds and currents and the sets that he occurred; that it was a common not say it's a
10 11 12 13 14 15 16 17 18 19 20 21 22	Q. A. Q. A. Q. Exhibit 3, A. Q. A. Q. incident re	Just put in the date or Yep. You can and the vessel? You can reference incidents by vessels. Okay. So this on page 1 of it says there's a tag incident, right? Yes. You see that there? Yes, sir. What other tags are there for an port event like this? I don't know exactly. Right now, do you know if that's a	11 12 13 14 15 16 17 18 19 20 21	e-mail. Because I've don't recall seeing any of the Carver Marine Towing reports for disciplinary action. It's all a Carver companies' form. Q. Was Captain Morrissey disciplined for damaging the South Carolina Port Authority dock in January of 2024? A. For that incident, no. Q. Did anybody counsel him or A. We interviewed him and spoke to him about the incidents, and we didn't deem it necessary given the fact that the the way the departure was with the winds and currents and the sets that he

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				April 28, 2025
		Page 90		Page 92
1	0	Moore - April 28, 2025 Did the tug allied with the dock or did	1 2	± .
2	Q.	5		
3	-	t it was handling allied with the dock?	3	2
4	Α.	A barge.	4	
5	Q.	Do you know whose barge it was?	5	,
6	Α.	Our barge.	6	1 1
7	Q.	So you also operate a fleet of barges?	7	3 1
8	Α.	True. Correct.	8	
9	Q.	To your knowledge, has Captain Morrissey	9	
10		isciplined for the incident the	10	1.0.1
11		th the Belt Line Bridge in 2024?	11	-
12	Α.	He was suspended with pay pending that	12	
13	investigati		13	. 1
14	Q.	But was he disciplined?	14	1 1 5
15		MR. RODGERS: Objection to form.	15	1 1 3
16	A.	A disciplinary form? No.	16	objections.
17	Q.	I'm sorry?	17	MR. RODGERS: I've had very few speaking
18		MR. RODGERS: Asked and answered is my	18	objections, if any. I just want to clarify to
19	objec	tion, but you can answer if you understand	19	the witness now so there's not incorrect
20	his q	uestion.	20	testimony, and I shouldn't have to fix it if
21	A.	To me, the suspension was the	21	it's done correctly.
22	disciplinar	7•	22	Q. Just so I'm clear on what you've said,
23	Q.	So he still collected full collect	23	you're not aware of any notes that Mr. Baldassare
24	full pay wh	ile he was on admin leave, right?	24	made regarding his interview with Captain Morrissey?
25	A.	Yes.	25	A. Correct.
		Page 91		Page 93
1		Moore - April 28, 2025	1	_
2	Q.	Was there any counseling?	2	Q. Okay. You've seen statements that the
3		MR. RODGERS: I'm just sorry. Jim,	3	crew members provided in the aftermath of the
4	you c	all it admin leave. I don't know if that's	4	allision, right?
5	his t	erm, but maybe you can straighten it out.	5	A. Correct.
6	A.	Correct. So he wasn't on admin leave.	6	Q. And my question is whether you have ever
7	He didn't h	ave any day-to-day operations with Carver	7	seen any notes that Mr. Baldassare may have
8	Marine Towi	ng during his suspension.	8	prepared I don't know whether he did or not of
٥	Q.	So he just didn't come into the office,	9	
9				his investigation?
10	but he rece	ived his full pay?	10	
	but he rece	ived his full pay? Yes.	10	A. No.
10				A. No. Q. You haven't seen them?
10 11	A.	Yes.	11	A. No. Q. You haven't seen them? A. I've not seen any notes.
10 11 12	A. Q.	Yes. And how long did that go on?	11 12	A. No. Q. You haven't seen them? A. I've not seen any notes. Q. Okay.
10 11 12 13	A. Q. A. Q.	Yes. And how long did that go on? I don't recall. Multiple months.	11 12 13	A. No. Q. You haven't seen them? A. I've not seen any notes. Q. Okay. MR. CHAPMAN: Would you mark that as 4,
10 11 12 13 14	A. Q. A. Q.	Yes. And how long did that go on? I don't recall. Multiple months. Did you ever interview him personally	11 12 13 14	A. No. Q. You haven't seen them? A. I've not seen any notes. Q. Okay. MR. CHAPMAN: Would you mark that as 4, please.
10 11 12 13 14 15	A. Q. A. Q. regarding t	Yes. And how long did that go on? I don't recall. Multiple months. Did you ever interview him personally his allision?	11 12 13 14 15	A. No. Q. You haven't seen them? A. I've not seen any notes. Q. Okay. MR. CHAPMAN: Would you mark that as 4, please. (Exhibit 4, Labelled Sections Produced
10 11 12 13 14 15 16	A. Q. A. Q. regarding to	Yes. And how long did that go on? I don't recall. Multiple months. Did you ever interview him personally his allision? No.	11 12 13 14 15 16	A. No. Q. You haven't seen them? A. I've not seen any notes. Q. Okay. MR. CHAPMAN: Would you mark that as 4, please. (Exhibit 4, Labelled Sections Produced by Carver Listing, marked for identification, as
10 11 12 13 14 15 16 17	A. Q. A. Q. regarding to A. Q.	Yes. And how long did that go on? I don't recall. Multiple months. Did you ever interview him personally his allision? No.	11 12 13 14 15 16 17	A. No. Q. You haven't seen them? A. I've not seen any notes. Q. Okay. MR. CHAPMAN: Would you mark that as 4, please. (Exhibit 4, Labelled Sections Produced by Carver Listing, marked for identification, as of this date.)
10 11 12 13 14 15 16 17 18	A. Q. A. Q. regarding to A. Q. personally?	Yes. And how long did that go on? I don't recall. Multiple months. Did you ever interview him personally mis allision? No. Do you know who interviewed him	11 12 13 14 15 16 17 18	A. No. Q. You haven't seen them? A. I've not seen any notes. Q. Okay. MR. CHAPMAN: Would you mark that as 4, please. (Exhibit 4, Labelled Sections Produced by Carver Listing, marked for identification, as of this date.) Q. Mr. Moore, you've been given Exhibit 4
10 11 12 13 14 15 16 17 18 19	A. Q. A. Q. regarding to A. Q. personally?	Yes. And how long did that go on? I don't recall. Multiple months. Did you ever interview him personally his allision? No. Do you know who interviewed him Lenny would have. Lenny Baldassare interviewed him.	11 12 13 14 15 16 17 18 19	A. No. Q. You haven't seen them? A. I've not seen any notes. Q. Okay. MR. CHAPMAN: Would you mark that as 4, please. (Exhibit 4, Labelled Sections Produced by Carver Listing, marked for identification, as of this date.) Q. Mr. Moore, you've been given Exhibit 4 to your deposition, which has a cover page on it that
10 11 12 13 14 15 16 17 18 19 20	A. Q. A. Q. regarding to A. Q. personally? A. would have	Yes. And how long did that go on? I don't recall. Multiple months. Did you ever interview him personally his allision? No. Do you know who interviewed him Lenny would have. Lenny Baldassare interviewed him. And did he tell you about his interview	11 12 13 14 15 16 17 18 19 20 21	A. No. Q. You haven't seen them? A. I've not seen any notes. Q. Okay. MR. CHAPMAN: Would you mark that as 4, please. (Exhibit 4, Labelled Sections Produced by Carver Listing, marked for identification, as of this date.) Q. Mr. Moore, you've been given Exhibit 4 to your deposition, which has a cover page on it that was prepared by my office trying to identify the
10 11 12 13 14 15 16 17 18 19 20 21	A. Q. A. Q. regarding to A. Q. personally? A. would have	Yes. And how long did that go on? I don't recall. Multiple months. Did you ever interview him personally his allision? No. Do you know who interviewed him Lenny would have. Lenny Baldassare interviewed him.	11 12 13 14 15 16 17 18 19 20	A. No. Q. You haven't seen them? A. I've not seen any notes. Q. Okay. MR. CHAPMAN: Would you mark that as 4, please. (Exhibit 4, Labelled Sections Produced by Carver Listing, marked for identification, as of this date.) Q. Mr. Moore, you've been given Exhibit 4 to your deposition, which has a cover page on it that was prepared by my office trying to identify the sections of documents that Carver produced to us in
10 11 12 13 14 15 16 17 18 19 20 21	A. Q. regarding to A. Q. personally? A. would have Q. with Captain	Yes. And how long did that go on? I don't recall. Multiple months. Did you ever interview him personally his allision? No. Do you know who interviewed him Lenny would have. Lenny Baldassare interviewed him. And did he tell you about his interview of Morrissey? I'm sure he did.	11 12 13 14 15 16 17 18 19 20 21 22 23	A. No. Q. You haven't seen them? A. I've not seen any notes. Q. Okay. MR. CHAPMAN: Would you mark that as 4, please. (Exhibit 4, Labelled Sections Produced by Carver Listing, marked for identification, as of this date.) Q. Mr. Moore, you've been given Exhibit 4 to your deposition, which has a cover page on it that was prepared by my office trying to identify the sections of documents that Carver produced to us in this case that appear to be part of some type of
10 11 12 13 14 15 16 17 18 19 20 21 22 23	A. Q. regarding to A. Q. personally? A. would have Q. with Captain A. Q.	Yes. And how long did that go on? I don't recall. Multiple months. Did you ever interview him personally his allision? No. Do you know who interviewed him Lenny would have. Lenny Baldassare interviewed him. And did he tell you about his interview in Morrissey?	11 12 13 14 15 16 17 18 19 20 21 22	A. No. Q. You haven't seen them? A. I've not seen any notes. Q. Okay. MR. CHAPMAN: Would you mark that as 4, please. (Exhibit 4, Labelled Sections Produced by Carver Listing, marked for identification, as of this date.) Q. Mr. Moore, you've been given Exhibit 4 to your deposition, which has a cover page on it that was prepared by my office trying to identify the sections of documents that Carver produced to us in this case that appear to be part of some type of system, but they're largely labeled with a number in

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	Page 04		April 28, 2025
1	Page 94 Moore - April 28, 2025	1	Page 96 Moore - April 28, 2025
2	document, and then the Bates ranges, which are	2	But I presume that there must be some
3	various. I reorganized them from the way they were	3	numbers that precede Section 5.1; is that right?
4	produced so that they follow the section number	4	A. Correct.
5	ordering.	5	Q. Okay. So what is the lowest section
6	A. Okay.	6	number that you know of? Is it like 1.1 or
7	Q. Because I think that makes more sense.	7	A. It would be 1
8	It may not, but I think it does.	8	Q. Okay.
9	A. Okay.	9	A1.
10	Q. All right. So if you look at the first	10	Q. All right. And is there like an index
11	page underneath the cover, which is labeled Carver	11	or some table of contents in this safety management
12	000148 titled Master's Authority excuse me,	12	system?
13	Matter's Responsibility and Authority, it looks like	13	A. Yes.
14	it's Section 5.1	14	Q. How many like it starts at 1. How
15	A. Yes, sir.	15	high does it go?
16	Q right?	16	A. I don't know off the top of my head.
17	MR. RODGERS: And so for the record,	17	Q. Above 9.5?
18	could you put the Bates stamp numbers	18	A. I couldn't answer that correctly.
19	MR. CHAPMAN: I did.	19	Q. Okay. Have you ever seen it printed
20	MR. RODGERS: No. Right now, 148?	20	out?
21	MR. CHAPMAN: Yeah. I just I	21	A. Yes.
22	referenced that, I believe	22	Q. And how thick is it?
23	MR. RODGERS: Okay.	23	A. Approximately two inches thick.
24	MR. CHAPMAN: so and they're also	24	Q. Okay. So if you hold this up to the
25	listed	25	video, this is maybe half an inch thick?
\vdash	Page 95		Page 97
1	Moore - April 28, 2025	1	Moore - April 28, 2025
2	MR. RODGERS: And it's for the people	2	MR. RODGERS: Objection.
3	listening on both sides.	3	A. No. It's not not quite that, but
4	MR. CHAPMAN: Yeah.	4	it's a little bit thicker than this.
5	Anybody on the line that needs me to	5	Q. Okay. Suffice to say, this is not the
6	read that number again?	6	entire safety management system, right?
7	MR. NANAVATI: I'm okay. Thanks.	7	A. Correct.
8	Q. Mr. Moore	8	Q. Okay. So just kind of running through
9	A. Yes, sir.	9	it with me at a high level, I want to understand
10	Q where did this come from, this 5.1?	10	what's here.
11	A. This is all encapsulated within our	11	Section 5.1, which is Carver 148 and
12	towing TSMS or Towing Safety Management System, and	12	149, right?
13	that is also found in Helm.	13	A. Yes, sir.
13 14	that is also found in Helm. Q. So the I'll call it the safety	13 14	A. Yes, sir. Q. Section 6.12, which is Carver 150 and
			-
14	Q. So the I'll call it the safety	14	Q. Section 6.12, which is Carver 150 and
14 15	Q. So the I'll call it the safety management system.	14 15	Q. Section 6.12, which is Carver 150 and 151, right?
14 15 16	Q. So the I'll call it the safety management system. A. Yes.	14 15 16	Q. Section 6.12, which is Carver 150 and 151, right? A. Yes, sir.
14 15 16 17	Q. So the I'll call it the safety management system. A. Yes. Q. But that's a requirement of SOLAS, isn't	14 15 16 17	Q. Section 6.12, which is Carver 150 and 151, right? A. Yes, sir. Q. Section 6.13, which is Carver 152
14 15 16 17 18	Q. So the I'll call it the safety management system. A. Yes. Q. But that's a requirement of SOLAS, isn't it?	14 15 16 17 18	Q. Section 6.12, which is Carver 150 and 151, right? A. Yes, sir. Q. Section 6.13, which is Carver 152 through 154?
14 15 16 17 18 19	Q. So the I'll call it the safety management system. A. Yes. Q. But that's a requirement of SOLAS, isn't it? A. Not a requirement of SOLAS. It was a	14 15 16 17 18 19	Q. Section 6.12, which is Carver 150 and 151, right? A. Yes, sir. Q. Section 6.13, which is Carver 152 through 154? A. Yes, sir.
14 15 16 17 18 19 20	Q. So the I'll call it the safety management system. A. Yes. Q. But that's a requirement of SOLAS, isn't it? A. Not a requirement of SOLAS. It was a it's a requirement of all tug and barge companies	14 15 16 17 18 19 20	Q. Section 6.12, which is Carver 150 and 151, right? A. Yes, sir. Q. Section 6.13, which is Carver 152 through 154? A. Yes, sir. Q. And then it jumps up to 7.2, and the
14 15 16 17 18 19 20 21	Q. So the I'll call it the safety management system. A. Yes. Q. But that's a requirement of SOLAS, isn't it? A. Not a requirement of SOLAS. It was a it's a requirement of all tug and barge companies Q. Okay.	14 15 16 17 18 19 20 21	Q. Section 6.12, which is Carver 150 and 151, right? A. Yes, sir. Q. Section 6.13, which is Carver 152 through 154? A. Yes, sir. Q. And then it jumps up to 7.2, and the Bates No. is 908?
14 15 16 17 18 19 20 21 22	Q. So the I'll call it the safety management system. A. Yes. Q. But that's a requirement of SOLAS, isn't it? A. Not a requirement of SOLAS. It was a it's a requirement of all tug and barge companies Q. Okay. A subchapter M related.	14 15 16 17 18 19 20 21 22	Q. Section 6.12, which is Carver 150 and 151, right? A. Yes, sir. Q. Section 6.13, which is Carver 152 through 154? A. Yes, sir. Q. And then it jumps up to 7.2, and the Bates No. is 908? A. Okay. I don't have 908.

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				April 28, 2025
1		Page 98		Page 100
1	-E 11	Moore - April 28, 2025	1	Moore - April 28, 2025
2	of the secti		2	Q Bates No. 910.
3	Α.	Got it.	3	Then 7.16 on Lookouts
4	Q.	So I'm just asking is you see 5.1 and	4	A. Yes, sir.
5	then you see		5	Q which is numbered 155.
6	Α.	Yes, sir.	6	And then 8.8M on Steering Failure, which
7	Q.	And then you see 6.13?	7	is numbered 162, correct?
8	A.	Yes.	8	A. Yes, sir.
9	Q.	And then 7.2 is the next one?	9	Q. And then I guess same question. The 8.8
10	A.	Correct.	10	is a subletter M.
11	Q.	And that is Bates numbered 908. You	11	Do you know whether there's like A
12	just if y	you see the number in the lower right.	12	through L or anything after M?
13		And then 7.3?	13	A. I would have to reference it.
14	A.	Yes.	14	Q. Okay. And then the last numbered
15	Q.	Which is 898 to 906.	15	section is 9.5 on Accident and Incident Reporting,
16		7.4, which is 909?	16	163 to 169.
17	A.	Yes.	17	Do you see that?
18	Q.	7.9, which is 897?	18	A. Yes, sir.
19	A.	You forgot 7.5, but	19	Q. The last thing that's in here doesn't
20	Q.	Oh, I skipped that. Thank you.	20	have a section number on it, but if you could turn to
21	A.	But yes	21	the last four pages, which are numbered 886 through
22	Q.	Yeah.	22	889.
23	A.	7.5 and 7.9.	23	A. Okay.
24	Q.	Okay. 7.5, which is 816 to 520.	24	Q. It at the top says that it is, in red,
25		And then 7.9, which is 897, right?	25	Health and Safety Plan within TSMS.
		Page 99		Page 101
1		Moore - April 28, 2025	1	Moore - April 28, 2025
2	A.	Yes, sir.	2	Do you see that heading?
3	Q.	And then 7.9K, which is 194 to 199?	3	A. Yes, sir.
4	A.	Yes, sir.	4	Q. So you told us what the TSMS is, the
5	Q.	I do want to ask, do you know why	5	Towing Safety Management System.
6	there's a su	ub letter to 7.9?	6	Is this part of it, this document, these
7	A.	I don't know.	7	last four pages?
8	Q.	And immediately following is 7.9P, which	8	A. I would have to reference it. It is
9	is numbered	201 to 226.	9	extensive, so I don't really know off the top of my
10		Do you see that?	10	head.
11	A.	Yes, sir.	11	Q. Yeah. I mean, there's four pages, but
12	Q.	Do you know whether there are	12	they reference a lot of the Code of Federal
13	subsections	of Section 7.9, like A through Z or A	13	Regulation, and then some other sections of the
14	through some	e letter, and the only thing that we've	14	TSMS
15	been provide	ed with are K and P?	15	A. Yes, sir.
16		MR. RODGERS: Objection to form.	16	Q right?
17	Q.	I'm just asking	17	I do have a question. In that far right
18	A.	I don't know.	18	column on page 886, it says TSMS/HSP Section?
19	Q.	if you know whether there are other	19	A. Yes, sir.
20	subsections		20	Q. I assume HSP is Health and Safety Plan?
21	A.	Not without having it in front of me, I	21	A. Yes. That would to my knowledge,
22	couldn't ref	ference it.	22	yes.
23	Q.	Okay. And then it's followed by 7.12 on	23	Q. Is that a separate document, the Health
24	Bridge Trans	sits	24	and Safety Plan?
25	A.	Yes, sir.	25	A. No. It's all incorporated.

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			April 28, 2025
	Page 102		Page 104
1	Moore - April 28, 2025	1	Moore - April 28, 2025
2	Q. It's all part of the	2	organizations that do the same.
3	A. Part of the	3	So we utilize TBS just for the Helm and
4	Q the TSMS?	4	also the TSMS section.
5	A. In Helm.	5	Q. You mentioned post-incident surveys.
6	Q. Okay. So if you go into your Helm	6	Did Carver hire a surveyor to go inspect
7	system, you can access the entire TSMS, right?	7	the damage that the MACKENZIE ROSE did to the
8	A. Yes.	8	Carolina Port Authority dock in January of 2024?
9	Q. And you can access all of the forms that	9	A. I don't know off the top of my head.
10	have to be filled out as part of performing your	10	Q. If you obtained a survey, where would
11	duties, right?	11	that be kept?
12	A. Yes, sir.	12	A. I have
13	Q. What else is in Helm?	13	MR. RODGERS: Just for the record, you
14	A. There's multiple forms where you could	14	mean the damage to the pier
15	fill out for evaluations, near misses, voyage plan,	15	MR. CHAPMAN: Damage to the pier.
16	references, how to handle coal. It's all documented	16	MR. RODGERS: in January 2024?
17	on it's all it's added by Tug & Barge	17	MR. CHAPMAN: Correct.
18	Solutions, TBS, who is our provider of the Health and	18	A. I don't recall seeing one, but it
19	Safety, TSMS.	19	there's no designated spot for it besides an e-mail
20	Q. So Tug & Barge Solutions is a company	20	or in Box we use.
21	that you buy or rent this towing safety management	21	Q. Box is a file storage
22	system from	22	A. Correct.
23	A. Correct. They're a third-party	23	Q product, right?
24	organization that works with us to ensure that this	24	A. Yes, sir.
25	plan is what we are looking for, compared to other	25	Q. The access that you have to Helm and the
	Page 103		Page 105
1	Moore - April 28, 2025	1	Moore - April 28, 2025
2	companies that they also provide for.	2	safety management system, is that all cloud-based?
3	Q. And do they represent that their that	3	A. Yes.
4	the TSMS that they make available to you is in	4	Q. So you got to login to the cloud to
5	compliance with whatever regulatory requirements	5	access your account?
6	exist?	6	A. Yes.
7	A. I don't know off the top of my head.	7	Q. Can Carver edit the safety management
8	Q. So do you rent or buy the Helm system	8	system?
9	from them?	9	A. We can only recommend.
10	A. Helms system is a separate operating	10	Q. And if you wanted to make a change to it
11	system that goes through Tug & Barge Solutions, TBS,	11	or recommend a change to it, how would that take
12	but Helm is its own separate organization that TBS	12 13	place? A. It's easy as calling TBS to go through
13 14	provides that service to us with. O. So you pay like a subscription to Helm	14	A. It's easy as calling TBS to go through the motions or submitting a management of change
		15	
15 16	and a subscription to TBS? A. We pay one subscription cost to TBS for	16	within the operating system.
16 17	A. We pay one subscription cost to TBS for all-encompassing.	17	Q. To your knowledge, has Carver ever done that?
18	Q. All right. And so TBS provides the Helm	18	A. We have made revisions. I don't know
19	system and it provides the safety management system?	19	off the top of my head what they were, but they have
20	A. Correct.	20	been made through through TBS.
21	Q. Does it provide anything else?	21	Q. And is there an audit log of any
22	A. They also can perform other services,	22	revisions that are made at your request to the safety
23	but nothing that's on the day-to-day operations they	23	management system?
24	do. They can do condition value surveys,	24	A. I don't I don't know off the top of
25	post-incident surveys, but there's other	25	my head.
	- · · · · · · · · · · · · · · · · · · ·	1 1	-

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			April 28, 2025
1	Page 106		Page 108
1 2	Moore - April 28, 2025 O. Is there an IT person that has some	1 2	Moore - April 28, 2025 knowledge of duties of a deckhand.
3	Q. Is there an IT person that has some responsibility for managing or making those changes	3	A. Correct. It would be through the same,
4	to the TSMS?	4	if you're also transiting through locks, bridges or
5		5	
6	A. It would be through TBS, not our IT department.	6	even on approach to a dock. O. So how are deckhands trained in their
	-	7	~
7	Q. So if you look at the at Section 5.1	8	responsibility regarding assisting the master or mate
8	of Exhibit 4, it has a revision date on it at the	9	in making bridges? A. They have their own training for vessel
	top, July of 2021?	10	
10	A. Yes, sir.Q. Do you know what was revised in this?	11	orientation and initial on hire, but I could not not to my knowledge, I don't know about specifically
11	-	12	
12	And I realize you weren't there, but I'm just trying	13	for passage to bridges or locks or
13	to understand the scope of what you might know.		Q. Who is responsible for training new
14	A. I do not know.	14	hires at Carver in from the time you've been
15	Q. So do you know if this has changed in	15	there, and maybe it's changed, but just going back to
16	any way since July 15th of 2024? I'm just focused on	16	since you've been there?
17 18	Section 5.1. A. No, I don't believe so.	17	MR. RODGERS: Objection to form.
19	MR. RODGERS: Don't quess.	19	You can answer if you know understand the question.
20	THE WITNESS: That's correct.		A. I'm not sure who would be responsible
21		20	for training.
22		22	
23		23	Q. So there isn't anybody that you know of
	Deckhand, which is starts at page 150.		that has training responsibility at Carver Marine
24 25	A. Yes, sir.	24 25	Towing? MR. RODGERS: Objection to form.
25	Q. It says, again, Revision Date, July 1,	25	MR. RODGERS: OD Jection to form.
1	Page 107		Page 109
1	Moore - April 28, 2025	1	Moore - April 28, 2025
2	Moore - April 28, 2025 2021.	1 2	Moore - April 28, 2025 A. Not directly assigned a training spot.
2 3	Moore - April 28, 2025 2021. Has any change been made to it since	1 2 3	Moore - April 28, 2025 A. Not directly assigned a training spot. Q. There's no one that has that role?
2 3 4	Moore - April 28, 2025 2021. Has any change been made to it since that, since June 15th, 2024?	1 2 3 4	Moore - April 28, 2025 A. Not directly assigned a training spot. Q. There's no one that has that role? That's my question. No one has
2 3 4 5	Moore - April 28, 2025 2021. Has any change been made to it since that, since June 15th, 2024? A. Not to my knowledge.	1 2 3 4 5	Moore - April 28, 2025 A. Not directly assigned a training spot. Q. There's no one that has that role? That's my question. No one has MR. RODGERS: Object
2 3 4 5 6	Moore - April 28, 2025 2021. Has any change been made to it since that, since June 15th, 2024? A. Not to my knowledge. Q. On page 150 under the heading	1 2 3 4 5 6	Moore - April 28, 2025 A. Not directly assigned a training spot. Q. There's no one that has that role? That's my question. No one has MR. RODGERS: Object Q. No one has let me
2 3 4 5 6 7	Moore - April 28, 2025 2021. Has any change been made to it since that, since June 15th, 2024? A. Not to my knowledge. Q. On page 150 under the heading Operational	1 2 3 4 5 6 7	Moore - April 28, 2025 A. Not directly assigned a training spot. Q. There's no one that has that role? That's my question. No one has MR. RODGERS: Object Q. No one has let me MR. RODGERS: You're talking about on
2 3 4 5 6 7 8	Moore - April 28, 2025 2021. Has any change been made to it since that, since June 15th, 2024? A. Not to my knowledge. Q. On page 150 under the heading Operational A. Yes, sir.	1 2 3 4 5 6 7 8	Moore - April 28, 2025 A. Not directly assigned a training spot. Q. There's no one that has that role? That's my question. No one has MR. RODGERS: Object Q. No one has let me MR. RODGERS: You're talking about on the vessel or are you talking about in the
2 3 4 5 6 7 8	Moore - April 28, 2025 2021. Has any change been made to it since that, since June 15th, 2024? A. Not to my knowledge. Q. On page 150 under the heading Operational A. Yes, sir. Q it looks like the third bullet	1 2 3 4 5 6 7 8 9	Moore - April 28, 2025 A. Not directly assigned a training spot. Q. There's no one that has that role? That's my question. No one has MR. RODGERS: Object Q. No one has let me MR. RODGERS: You're talking about on the vessel or are you talking about in the company?
2 3 4 5 6 7 8 9	Moore - April 28, 2025 2021. Has any change been made to it since that, since June 15th, 2024? A. Not to my knowledge. Q. On page 150 under the heading Operational A. Yes, sir. Q it looks like the third bullet down fourth bullet down, maybe third bullet down,	1 2 3 4 5 6 7 8 9 10	Moore - April 28, 2025 A. Not directly assigned a training spot. Q. There's no one that has that role? That's my question. No one has MR. RODGERS: Object Q. No one has let me MR. RODGERS: You're talking about on the vessel or are you talking about in the company? MR. CHAPMAN: I'm talking about in
2 3 4 5 6 7 8 9 10	Moore - April 28, 2025 2021. Has any change been made to it since that, since June 15th, 2024? A. Not to my knowledge. Q. On page 150 under the heading Operational A. Yes, sir. Q it looks like the third bullet down fourth bullet down, maybe third bullet down, Assisting the master/mate in making bridges.	1 2 3 4 5 6 7 8 9 10 11	Moore - April 28, 2025 A. Not directly assigned a training spot. Q. There's no one that has that role? That's my question. No one has MR. RODGERS: Object Q. No one has let me MR. RODGERS: You're talking about on the vessel or are you talking about in the company? MR. CHAPMAN: I'm talking about in MR. RODGERS: It's confusing.
2 3 4 5 6 7 8 9 10 11 12	Moore - April 28, 2025 2021. Has any change been made to it since that, since June 15th, 2024? A. Not to my knowledge. Q. On page 150 under the heading Operational A. Yes, sir. Q it looks like the third bullet down fourth bullet down, maybe third bullet down, Assisting the master/mate in making bridges. Do you see that?	1 2 3 4 5 6 7 8 9 10 11 12	Moore - April 28, 2025 A. Not directly assigned a training spot. Q. There's no one that has that role? That's my question. No one has MR. RODGERS: Object Q. No one has let me MR. RODGERS: You're talking about on the vessel or are you talking about in the company? MR. CHAPMAN: I'm talking about in MR. RODGERS: It's confusing. Q. At Carver Marine Towing, is there
2 3 4 5 6 7 8 9 10 11 12 13	Moore - April 28, 2025 2021. Has any change been made to it since that, since June 15th, 2024? A. Not to my knowledge. Q. On page 150 under the heading Operational A. Yes, sir. Q it looks like the third bullet down fourth bullet down, maybe third bullet down, Assisting the master/mate in making bridges. Do you see that? A. Yes, sir.	1 2 3 4 5 6 7 8 9 10 11 12 13	Moore - April 28, 2025 A. Not directly assigned a training spot. Q. There's no one that has that role? That's my question. No one has MR. RODGERS: Object Q. No one has let me MR. RODGERS: You're talking about on the vessel or are you talking about in the company? MR. CHAPMAN: I'm talking about in MR. RODGERS: It's confusing. Q. At Carver Marine Towing, is there somebody that uniquely has the responsibility for
2 3 4 5 6 7 8 9 10 11 12 13 14	Moore - April 28, 2025 2021. Has any change been made to it since that, since June 15th, 2024? A. Not to my knowledge. Q. On page 150 under the heading Operational A. Yes, sir. Q it looks like the third bullet down fourth bullet down, maybe third bullet down, Assisting the master/mate in making bridges. Do you see that? A. Yes, sir. Q. What is the deckhand supposed to do to	1 2 3 4 5 6 7 8 9 10 11 12 13 14	Moore - April 28, 2025 A. Not directly assigned a training spot. Q. There's no one that has that role? That's my question. No one has MR. RODGERS: Object Q. No one has let me MR. RODGERS: You're talking about on the vessel or are you talking about in the company? MR. CHAPMAN: I'm talking about in MR. RODGERS: It's confusing. Q. At Carver Marine Towing, is there somebody that uniquely has the responsibility for training new hires?
2 3 4 5 6 7 8 9 10 11 12 13 14	Moore - April 28, 2025 2021. Has any change been made to it since that, since June 15th, 2024? A. Not to my knowledge. Q. On page 150 under the heading Operational A. Yes, sir. Q it looks like the third bullet down fourth bullet down, maybe third bullet down, Assisting the master/mate in making bridges. Do you see that? A. Yes, sir. Q. What is the deckhand supposed to do to assist the master or mate in making bridges?	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15	Moore - April 28, 2025 A. Not directly assigned a training spot. Q. There's no one that has that role? That's my question. No one has MR. RODGERS: Object Q. No one has let me MR. RODGERS: You're talking about on the vessel or are you talking about in the company? MR. CHAPMAN: I'm talking about in MR. RODGERS: It's confusing. Q. At Carver Marine Towing, is there somebody that uniquely has the responsibility for training new hires? A. The master or mate, whoever that signs
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Moore - April 28, 2025 2021. Has any change been made to it since that, since June 15th, 2024? A. Not to my knowledge. Q. On page 150 under the heading Operational A. Yes, sir. Q it looks like the third bullet down fourth bullet down, maybe third bullet down, Assisting the master/mate in making bridges. Do you see that? A. Yes, sir. Q. What is the deckhand supposed to do to assist the master or mate in making bridges? A. A common practice would be for	1 2 3 4 5 6 6 7 8 9 10 11 12 13 14 15 16	Moore - April 28, 2025 A. Not directly assigned a training spot. Q. There's no one that has that role? That's my question. No one has MR. RODGERS: Object Q. No one has let me MR. RODGERS: You're talking about on the vessel or are you talking about in the company? MR. CHAPMAN: I'm talking about in MR. RODGERS: It's confusing. Q. At Carver Marine Towing, is there somebody that uniquely has the responsibility for training new hires? A. The master or mate, whoever that signs them off in within Helm as and appropriate to
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Moore - April 28, 2025 2021. Has any change been made to it since that, since June 15th, 2024? A. Not to my knowledge. Q. On page 150 under the heading Operational A. Yes, sir. Q it looks like the third bullet down fourth bullet down, maybe third bullet down, Assisting the master/mate in making bridges. Do you see that? A. Yes, sir. Q. What is the deckhand supposed to do to assist the master or mate in making bridges? A. A common practice would be for deckhands, if the officer on watch requests it, to go	1 2 3 4 4 5 6 6 7 8 9 10 11 12 13 14 15 16 17	Moore - April 28, 2025 A. Not directly assigned a training spot. Q. There's no one that has that role? That's my question. No one has MR. RODGERS: Object Q. No one has let me MR. RODGERS: You're talking about on the vessel or are you talking about in the company? MR. CHAPMAN: I'm talking about in MR. RODGERS: It's confusing. Q. At Carver Marine Towing, is there somebody that uniquely has the responsibility for training new hires? A. The master or mate, whoever that signs them off in within Helm as and appropriate to stand watch.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Moore - April 28, 2025 2021. Has any change been made to it since that, since June 15th, 2024? A. Not to my knowledge. Q. On page 150 under the heading Operational A. Yes, sir. Q it looks like the third bullet down fourth bullet down, maybe third bullet down, Assisting the master/mate in making bridges. Do you see that? A. Yes, sir. Q. What is the deckhand supposed to do to assist the master or mate in making bridges? A. A common practice would be for deckhands, if the officer on watch requests it, to go out and provide distances or identify any hazards.	1 2 3 4 5 6 6 7 8 9 10 11 12 13 14 15 16 17 18	Moore - April 28, 2025 A. Not directly assigned a training spot. Q. There's no one that has that role? That's my question. No one has MR. RODGERS: Object Q. No one has let me MR. RODGERS: You're talking about on the vessel or are you talking about in the company? MR. CHAPMAN: I'm talking about in MR. RODGERS: It's confusing. Q. At Carver Marine Towing, is there somebody that uniquely has the responsibility for training new hires? A. The master or mate, whoever that signs them off in within Helm as and appropriate to stand watch. Q. And does the master or mate that has
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Moore - April 28, 2025 2021. Has any change been made to it since that, since June 15th, 2024? A. Not to my knowledge. Q. On page 150 under the heading Operational A. Yes, sir. Q it looks like the third bullet down fourth bullet down, maybe third bullet down, Assisting the master/mate in making bridges. Do you see that? A. Yes, sir. Q. What is the deckhand supposed to do to assist the master or mate in making bridges? A. A common practice would be for deckhands, if the officer on watch requests it, to go out and provide distances or identify any hazards. Q. Is that the same thing as the fourth	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	Moore - April 28, 2025 A. Not directly assigned a training spot. Q. There's no one that has that role? That's my question. No one has MR. RODGERS: Object Q. No one has let me MR. RODGERS: You're talking about on the vessel or are you talking about in the company? MR. CHAPMAN: I'm talking about in MR. RODGERS: It's confusing. Q. At Carver Marine Towing, is there somebody that uniquely has the responsibility for training new hires? A. The master or mate, whoever that signs them off in within Helm as and appropriate to stand watch. Q. And does the master or mate that has that responsibility also receive training in what
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Moore - April 28, 2025 2021. Has any change been made to it since that, since June 15th, 2024? A. Not to my knowledge. Q. On page 150 under the heading Operational A. Yes, sir. Q it looks like the third bullet down fourth bullet down, maybe third bullet down, Assisting the master/mate in making bridges. Do you see that? A. Yes, sir. Q. What is the deckhand supposed to do to assist the master or mate in making bridges? A. A common practice would be for deckhands, if the officer on watch requests it, to go out and provide distances or identify any hazards. Q. Is that the same thing as the fourth bullet where it says Standing lookout or riding the	1 2 3 4 4 5 6 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Moore - April 28, 2025 A. Not directly assigned a training spot. Q. There's no one that has that role? That's my question. No one has MR. RODGERS: Object Q. No one has let me MR. RODGERS: You're talking about on the vessel or are you talking about in the company? MR. CHAPMAN: I'm talking about in MR. RODGERS: It's confusing. Q. At Carver Marine Towing, is there somebody that uniquely has the responsibility for training new hires? A. The master or mate, whoever that signs them off in within Helm as and appropriate to stand watch. Q. And does the master or mate that has that responsibility also receive training in what they're supposed to train the deckhands in?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Moore - April 28, 2025 2021. Has any change been made to it since that, since June 15th, 2024? A. Not to my knowledge. Q. On page 150 under the heading Operational A. Yes, sir. Q it looks like the third bullet down, maybe third bullet down, Assisting the master/mate in making bridges. Do you see that? A. Yes, sir. Q. What is the deckhand supposed to do to assist the master or mate in making bridges? A. A common practice would be for deckhands, if the officer on watch requests it, to go out and provide distances or identify any hazards. Q. Is that the same thing as the fourth bullet where it says Standing lookout or riding the head of a tow as a lookout?	1 2 3 4 4 5 6 6 7 8 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Moore - April 28, 2025 A. Not directly assigned a training spot. Q. There's no one that has that role? That's my question. No one has MR. RODGERS: Object Q. No one has let me MR. RODGERS: You're talking about on the vessel or are you talking about in the company? MR. CHAPMAN: I'm talking about in MR. RODGERS: It's confusing. Q. At Carver Marine Towing, is there somebody that uniquely has the responsibility for training new hires? A. The master or mate, whoever that signs them off in within Helm as and appropriate to stand watch. Q. And does the master or mate that has that responsibility also receive training in what they're supposed to train the deckhands in? A. I don't know.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Moore - April 28, 2025 2021. Has any change been made to it since that, since June 15th, 2024? A. Not to my knowledge. Q. On page 150 under the heading Operational A. Yes, sir. Q it looks like the third bullet down fourth bullet down, maybe third bullet down, Assisting the master/mate in making bridges. Do you see that? A. Yes, sir. Q. What is the deckhand supposed to do to assist the master or mate in making bridges? A. A common practice would be for deckhands, if the officer on watch requests it, to go out and provide distances or identify any hazards. Q. Is that the same thing as the fourth bullet where it says Standing lookout or riding the head of a tow as a lookout? Are those the same or are they uniquely	1 2 3 4 4 5 6 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Moore - April 28, 2025 A. Not directly assigned a training spot. Q. There's no one that has that role? That's my question. No one has MR. RODGERS: Object Q. No one has let me MR. RODGERS: You're talking about on the vessel or are you talking about in the company? MR. CHAPMAN: I'm talking about in MR. RODGERS: It's confusing. Q. At Carver Marine Towing, is there somebody that uniquely has the responsibility for training new hires? A. The master or mate, whoever that signs them off in within Helm as and appropriate to stand watch. Q. And does the master or mate that has that responsibility also receive training in what they're supposed to train the deckhands in? A. I don't know. Q. Is
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Moore - April 28, 2025 2021. Has any change been made to it since that, since June 15th, 2024? A. Not to my knowledge. Q. On page 150 under the heading Operational A. Yes, sir. Q it looks like the third bullet down, maybe third bullet down, Assisting the master/mate in making bridges. Do you see that? A. Yes, sir. Q. What is the deckhand supposed to do to assist the master or mate in making bridges? A. A common practice would be for deckhands, if the officer on watch requests it, to go out and provide distances or identify any hazards. Q. Is that the same thing as the fourth bullet where it says Standing lookout or riding the head of a tow as a lookout? Are those the same or are they uniquely different?	1 2 3 4 4 5 6 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Moore - April 28, 2025 A. Not directly assigned a training spot. Q. There's no one that has that role? That's my question. No one has MR. RODGERS: Object Q. No one has let me MR. RODGERS: You're talking about on the vessel or are you talking about in the company? MR. CHAPMAN: I'm talking about in MR. RODGERS: It's confusing. Q. At Carver Marine Towing, is there somebody that uniquely has the responsibility for training new hires? A. The master or mate, whoever that signs them off in within Helm as and appropriate to stand watch. Q. And does the master or mate that has that responsibility also receive training in what they're supposed to train the deckhands in? A. I don't know. Q. Is MR. RODGERS: Don't guess.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Moore - April 28, 2025 2021. Has any change been made to it since that, since June 15th, 2024? A. Not to my knowledge. Q. On page 150 under the heading Operational A. Yes, sir. Q it looks like the third bullet down fourth bullet down, maybe third bullet down, Assisting the master/mate in making bridges. Do you see that? A. Yes, sir. Q. What is the deckhand supposed to do to assist the master or mate in making bridges? A. A common practice would be for deckhands, if the officer on watch requests it, to go out and provide distances or identify any hazards. Q. Is that the same thing as the fourth bullet where it says Standing lookout or riding the head of a tow as a lookout? Are those the same or are they uniquely	1 2 3 4 4 5 6 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Moore - April 28, 2025 A. Not directly assigned a training spot. Q. There's no one that has that role? That's my question. No one has MR. RODGERS: Object Q. No one has let me MR. RODGERS: You're talking about on the vessel or are you talking about in the company? MR. CHAPMAN: I'm talking about in MR. RODGERS: It's confusing. Q. At Carver Marine Towing, is there somebody that uniquely has the responsibility for training new hires? A. The master or mate, whoever that signs them off in within Helm as and appropriate to stand watch. Q. And does the master or mate that has that responsibility also receive training in what they're supposed to train the deckhands in? A. I don't know. Q. Is

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			April 28, 2025
		Page 110	Page 112
1	Moore - April 28, 2025	1	Moore - April 28, 2025
2	conducted, that sort of thing?	2	separate section of the safety management system?
3	A. I would have to reference it.	3	A. I would have to reference it in there.
4	Q. You don't know?	4	Q. So you don't know?
5	A. No, not off the top of my head. I	would 5	A. No, off the top of my head.
6	have to reference that.	6	THE VIDEOGRAPHER: We are going off the
7	Q. If you turn to the next page, which	nis 7	record. The time is 1:01 p.m.
8	151 in Exhibit 4.	8	(There was a recess taken.)
9	A. Yes, sir.	9	
10	Q. It says near the top, third bullet	10	
11	down I think this is a continuation of the	11	
12	Operational section.	12	
13	It says Know their assigned duties	on 13	
14	the Station Bill?	14	
15	A. Yes, sir.	15	
16	Q. Station Bill is capitalized.	16	
17	Do you see that?	17	
18	A. Mine's not. Correction. Yes.	18	
19	Q. That their	19	
20	A. Station Bill, yes.	20	
21	Q. Yeah.	21	
22	What is a station bill?	22	
23	A. A station bill is posted on all ver		
24	noting that during the time of an emergency of		
25	incidents, where that assigns a crew member or a		
25	including, where did applying a crew manner or c	_ 23	
1		Page 111	Page 113
1	Moore - April 28, 2025	1	Moore - April 28, 2025
2	Moore - April 28, 2025 person in addition to crew is reporting to, and	their 2	Moore - April 28, 2025 AFTERNOON SESSION
2 3	Moore - April 28, 2025 person in addition to crew is reporting to, and responsibilities in that role.	their 2 3	Moore - April 28, 2025 A F T E R N O O N S E S S I O N THE VIDEOGRAPHER: Beginning Media No.
2 3 4	Moore - April 28, 2025 person in addition to crew is reporting to, and responsibilities in that role. Q. Is there a separate station bill for	their 2 3 3 4	Moore - April 28, 2025 A F T E R N O O N S E S S I O N THE VIDEOGRAPHER: Beginning Media No. 3. We are back on the record. The time is
2 3 4 5	Moore - April 28, 2025 person in addition to crew is reporting to, and responsibilities in that role. Q. Is there a separate station bill for each vessel?	their 2 3 3 or 4 5	Moore - April 28, 2025 A F T E R N O O N S E S S I O N THE VIDEOGRAPHER: Beginning Media No. 3. We are back on the record. The time is 1:46 p.m.
2 3 4 5 6	Moore - April 28, 2025 person in addition to crew is reporting to, and responsibilities in that role. Q. Is there a separate station bill for each vessel? A. There I don't know off the top of	their 2 3 3 or 4 5 of my 6	Moore - April 28, 2025 AFTERNOON SESSION THE VIDEOGRAPHER: Beginning Media No. 3. We are back on the record. The time is 1:46 p.m. BRIAN MOORE,
2 3 4 5 6 7	Moore - April 28, 2025 person in addition to crew is reporting to, and responsibilities in that role. Q. Is there a separate station bill for each vessel? A. There I don't know off the top of head.	1 their 2 3 or 4 5 of my 6 7	Moore - April 28, 2025 A F T E R N O O N S E S S I O N THE VIDEOGRAPHER: Beginning Media No. 3. We are back on the record. The time is 1:46 p.m. B R I A N M O O R E, Having been previously duly sworn was
2 3 4 5 6 7 8	Moore - April 28, 2025 person in addition to crew is reporting to, and responsibilities in that role. Q. Is there a separate station bill for each vessel? A. There I don't know off the top of head. Q. Yeah. I'm just trying to distinguish	1 their 2 3 or 4 5 of my 6 7 ish. 8	Moore - April 28, 2025 A F T E R N O O N S E S S I O N THE VIDEOGRAPHER: Beginning Media No. 3. We are back on the record. The time is 1:46 p.m. B R I A N M O O R E, Having been previously duly sworn was examined and testified further as follows:
2 3 4 5 6 7 8	Moore - April 28, 2025 person in addition to crew is reporting to, and responsibilities in that role. Q. Is there a separate station bill for each vessel? A. There I don't know off the top of head. Q. Yeah. I'm just trying to distinguing Maybe there's a generic station bill that goes of the second station bill the second station station bill the second station bill the second station st	their 2 3 or 4 5 of my 6 7 ish. 8 on 9	Moore - April 28, 2025 A F T E R N O O N S E S S I O N THE VIDEOGRAPHER: Beginning Media No. 3. We are back on the record. The time is 1:46 p.m. B R I A N M O O R E, Having been previously duly sworn was examined and testified further as follows: EXAMINATION BY MR. CHAPMAN: (Continued)
2 3 4 5 6 7 8 9	Moore - April 28, 2025 person in addition to crew is reporting to, and responsibilities in that role. Q. Is there a separate station bill for each vessel? A. There I don't know off the top of head. Q. Yeah. I'm just trying to distinguished there's a generic station bill that goes of every vessel, but there might be unique station	their 2 3 or 4 5 of my 6 7 ish. 8 on 9 bills 10	Moore - April 28, 2025 A F T E R N O O N S E S S I O N THE VIDEOGRAPHER: Beginning Media No. 3. We are back on the record. The time is 1:46 p.m. B R I A N M O O R E, Having been previously duly sworn was examined and testified further as follows: EXAMINATION BY MR. CHAPMAN: (Continued) Q. All right. Thank you.
2 3 4 5 6 7 8 9 10 11	Moore - April 28, 2025 person in addition to crew is reporting to, and responsibilities in that role. Q. Is there a separate station bill for each vessel? A. There I don't know off the top of head. Q. Yeah. I'm just trying to distinguish Maybe there's a generic station bill that goes of every vessel, but there might be unique station for each vessel?	their 2 3 or 4 5 of my 6 7 ish. 8 on 9 bills 10 11	Moore - April 28, 2025 A F T E R N O O N S E S S I O N THE VIDEOGRAPHER: Beginning Media No. 3. We are back on the record. The time is 1:46 p.m. B R I A N M O O R E, Having been previously duly sworn was examined and testified further as follows: EXAMINATION BY MR. CHAPMAN: (Continued) Q. All right. Thank you. We were looking at Exhibit 4, and we
2 3 4 5 6 7 8 9 10 11 12	Moore - April 28, 2025 person in addition to crew is reporting to, and responsibilities in that role. Q. Is there a separate station bill for each vessel? A. There I don't know off the top of head. Q. Yeah. I'm just trying to distinguishabe there's a generic station bill that goes of every vessel, but there might be unique station for each vessel? A. Master would have to master would	their 2 3 or 4 5 of my 6 7 ish. 8 on 9 bills 10 11 ld 12	Moore - April 28, 2025 A F T E R N O O N S E S S I O N THE VIDEOGRAPHER: Beginning Media No. 3. We are back on the record. The time is 1:46 p.m. B R I A N M O O R E, Having been previously duly sworn was examined and testified further as follows: EXAMINATION BY MR. CHAPMAN: (Continued) Q. All right. Thank you. We were looking at Exhibit 4, and we were on the Section 6.13 on page 153.
2 3 4 5 6 7 8 9 10 11 12 13	Moore - April 28, 2025 person in addition to crew is reporting to, and responsibilities in that role. Q. Is there a separate station bill for each vessel? A. There I don't know off the top of head. Q. Yeah. I'm just trying to distinguish Maybe there's a generic station bill that goes of every vessel, but there might be unique station for each vessel? A. Master would have to master would change it and have ultimate responsibility for	their 2 3 or 4 5 of my 6 7 ish. 8 on 9 bills 10 11 ld 12 13	Moore - April 28, 2025 A F T E R N O O N S E S S I O N THE VIDEOGRAPHER: Beginning Media No. 3. We are back on the record. The time is 1:46 p.m. B R I A N M O O R E, Having been previously duly sworn was examined and testified further as follows: EXAMINATION BY MR. CHAPMAN: (Continued) Q. All right. Thank you. We were looking at Exhibit 4, and we were on the Section 6.13 on page 153. A. Okay.
2 3 4 5 6 7 8 9 10 11 12 13 14	Moore - April 28, 2025 person in addition to crew is reporting to, and responsibilities in that role. Q. Is there a separate station bill for each vessel? A. There I don't know off the top of head. Q. Yeah. I'm just trying to distinguished. Maybe there's a generic station bill that goes of every vessel, but there might be unique station for each vessel? A. Master would have to master would change it and have ultimate responsibility for assigning the said roles for the crews.	their 2 3 or 4 5 of my 6 7 ish. 8 on 9 bills 10 11 ld 12 13	Moore - April 28, 2025 A F T E R N O O N S E S S I O N THE VIDEOGRAPHER: Beginning Media No. 3. We are back on the record. The time is 1:46 p.m. B R I A N M O O R E, Having been previously duly sworn was examined and testified further as follows: EXAMINATION BY MR. CHAPMAN: (Continued) Q. All right. Thank you. We were looking at Exhibit 4, and we were on the Section 6.13 on page 153. A. Okay. Q. Let's see. They're all bullets, but it
2 3 4 5 6 7 8 9 10 11 12 13 14	Moore - April 28, 2025 person in addition to crew is reporting to, and responsibilities in that role. Q. Is there a separate station bill for each vessel? A. There I don't know off the top of head. Q. Yeah. I'm just trying to distinguished there's a generic station bill that goes of every vessel, but there might be unique station for each vessel? A. Master would have to master would change it and have ultimate responsibility for assigning the said roles for the crews. Q. So that was going to be my next	their 2 3 3 or 4 5 of my 6 7 ish. 8 on 9 bills 10 11 ld 12 13 14 15	Moore - April 28, 2025 A F T E R N O O N S E S S I O N THE VIDEOGRAPHER: Beginning Media No. 3. We are back on the record. The time is 1:46 p.m. B R I A N M O O R E, Having been previously duly sworn was examined and testified further as follows: EXAMINATION BY MR. CHAPMAN: (Continued) Q. All right. Thank you. We were looking at Exhibit 4, and we were on the Section 6.13 on page 153. A. Okay. Q. Let's see. They're all bullets, but it looks like eight bullets down, it says the for the
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Moore - April 28, 2025 person in addition to crew is reporting to, and responsibilities in that role. Q. Is there a separate station bill for each vessel? A. There I don't know off the top of head. Q. Yeah. I'm just trying to distinguished. Maybe there's a generic station bill that goes of every vessel, but there might be unique station for each vessel? A. Master would have to master would change it and have ultimate responsibility for assigning the said roles for the crews. Q. So that was going to be my next question, is who prepares the station bill? A. We have a the generic station bit that covers the roles of captain, down to in addition to crew, and then it would be up to the master each time they sail; and if they wanted to change it, they would have to change it and post Q. And is that a document that lives it this Helm system?	their 2 3 3 3 4 5 5 5 6 7 7 18 10 11 15 16 16 17 18 19 10 10 10 10 10 10 10	Moore - April 28, 2025 A F T E R N O O N S E S S I O N THE VIDEOGRAPHER: Beginning Media No. 3. We are back on the record. The time is 1:46 p.m. B R I A N M O O R E, Having been previously duly sworn was examined and testified further as follows: EXAMINATION BY MR. CHAPMAN: (Continued) Q. All right. Thank you. We were looking at Exhibit 4, and we were on the Section 6.13 on page 153. A. Okay. Q. Let's see. They're all bullets, but it looks like eight bullets down, it says the for the mate, captain/relief captain, his responsibilities are to act as a lookout and oversee lookouts A. Yes, sir. Q right? So what does it mean to oversee lookouts? MR. RODGERS: Same objection. He's not here as an expert, but he'll testify as to his

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_			April 28, 2025
1	Page 114	1	Page 116
1	Moore - April 28, 2025	1	Moore - April 28, 2025
2	A. I would say when to call out a lookout,	2	Q. So there's a 2024 log, and it starts
3	if I'm putting myself in the captain's hat on here.	3	January 1 and ends December 31, right?
4	Q. Have you ever assigned a lookout at any	4	A. If they're using it for that. The
5	time while you were operating a vessel?	5	official logbook's in Helm that would we encourage
6	A. I have, in restricted visibility.	6	them to use. The rough deck log would be for
7	MR. RODGERS: What number is that?	7	anything they write down. If they're sailing and
8	THE WITNESS: It's eighth bottom down	8	need to jot down notes or anything else, that's
9	eighth bullet point down.	9	the you know, then they can clean up when they get
10	MR. RODGERS: 613?	10	to the computer.
11	THE WITNESS: Yes.	11	Q. So I'm specifically interested in the
12	Q. Is there any training on acting as a	12	logbook for 2024 on the MACKENZIE ROSE. Where is it
13	lookout or overseeing lookouts within the mate's	13	now?
14	responsibilities?	14	A. I would have to check and see where it's
15	A. No, there's no per se training. The	15	at right now.
16	officer of the watch would instruct the lookout to	16	Q. Did you give it to the lawyers?
17	what to look out for, where we're at, identify	17	A. I don't recall.
18	there's other vessels or buoys or anything that it	18	MR. RODGERS: What was that?
19	might see further ahead of them that wouldn't be able	19	THE WITNESS: The red logbook, the rough
20	to see them.	20	deck log.
21	Q. Yeah, that's great.	21	MR. RODGERS: No.
22	My question, is that written down	22	What was his your question, Jim?
23	anywhere? I mean, is that part of the specific	23	I didn't mean you.
24	training or some other document that these are the	24	MR. CHAPMAN: I said did you give it to
25	things you need to look for?	25	your lawyers.
	Page 115		Page 117
1	Moore - April 28, 2025	1	Moore - April 28, 2025
2	A. No, not to my knowledge.	2	MR. RODGERS: Oh, okay. Okay.
3	Q. Under Safety/Operations, the fourth	3	Q. So if you go over to the next page, 154.
4	bullet there says Properly relieve (or be relieved)	4	A. Yes.
5	on watch and log it.	5	Q. At the very top, it says Ensure that all
6	Where are they to log it?	6	navigation is conducted clear of dangers and with due
7	A. They would log it either in the rough	7	regard for prevailing conditions and vessel
8	deck log or in Helm itself.	8	capabilities, including defining specific courses to
9	Q. They could do it either way?	9	be steered and any special precautions or
10	A. Yeah.	10	instructions required of navigation personnel.
11	Q. The T the safety management system	11	In terms of defining specific courses to
12	doesn't specify whether to always do it one way or	12	be steered, is there some place that that would be
13	the other, right?	13	recorded?
	A. Not to my knowledge.	14	A. They would put that on the Rose Point,
14	A. Not to my knownedge.	1	
	Q. Where is the rough deck log kept on the	15	the electronic charting system. They would that's
14		15 16	the electronic charting system. They would that's where it would have been logged.
14 15	Q. Where is the rough deck log kept on the		where it would have been logged. Q. Okay. And no place else?
14 15 16	$\ensuremath{\mathbb{Q}}.$ Where is the rough deck log kept on the vessel?	16	where it would have been logged.
14 15 16 17	Q. Where is the rough deck log kept on the vessel? A. It's in the bridge, in the wheelhouse.	16 17	where it would have been logged. Q. Okay. And no place else?
14 15 16 17 18	Q. Where is the rough deck log kept on the vessel? A. It's in the bridge, in the wheelhouse. Q. The deck log, I've seen a few pages of	16 17 18	where it would have been logged. Q. Okay. And no place else? A. No. That once they got rid of the
14 15 16 17 18 19	Q. Where is the rough deck log kept on the vessel? A. It's in the bridge, in the wheelhouse. Q. The deck log, I've seen a few pages of it that were produced the rough deck log, a few	16 17 18 19	where it would have been logged. Q. Okay. And no place else? A. No. That once they got rid of the paper charts, they would eliminated the pencil in
14 15 16 17 18 19 20	Q. Where is the rough deck log kept on the vessel? A. It's in the bridge, in the wheelhouse. Q. The deck log, I've seen a few pages of it that were produced the rough deck log, a few pages that were produced.	16 17 18 19 20	where it would have been logged. Q. Okay. And no place else? A. No. That once they got rid of the paper charts, they would eliminated the pencil in the chart.
14 15 16 17 18 19 20 21	Q. Where is the rough deck log kept on the vessel? A. It's in the bridge, in the wheelhouse. Q. The deck log, I've seen a few pages of it that were produced the rough deck log, a few pages that were produced. It looks like it's one of those logbooks	16 17 18 19 20 21	where it would have been logged. Q. Okay. And no place else? A. No. That once they got rid of the paper charts, they would eliminated the pencil in the chart. Q. Is Rose Point the vendor of the Rose
14 15 16 17 18 19 20 21 22	Q. Where is the rough deck log kept on the vessel? A. It's in the bridge, in the wheelhouse. Q. The deck log, I've seen a few pages of it that were produced the rough deck log, a few pages that were produced. It looks like it's one of those logbooks that has an entry for every page of the year or a page for every day of the year; is that right? A. Yeah, it's one of those red journal	16 17 18 19 20 21 22 23 24	where it would have been logged. Q. Okay. And no place else? A. No. That once they got rid of the paper charts, they would eliminated the pencil in the chart. Q. Is Rose Point the vendor of the Rose Point charting system or navigation system?
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Page 138 Noore - Agril 28, 2025 Q. And it — does that also operate, I'll all it, in the closu? A. Actually, I don't know. It's based — this and the control of the contr				April 28, 2025
2 A. I don't know off the top of my head. 4 A. Actually, I don't know. It's based 5 it's a conquier program that you domined to the said 6 laptop, and so it's domineded chart updates and 7 everything else is domineded chart updates and 8 everything else is domineded incertly to to the 1 laptop itself. 9 Q. Who's responsible for updating it? 10 A. The master or mate. 11 Q. So maybe my genation's not clear, so I 12 apologise for that. 13 I'm trying to figure out, the Rose Point 14 pushes out, I'll call them updates 15 A. Yes. 16 Q to the system from time to time. I 17 don't know if they have like a regular release 18 schedule, that sort of timing. 19 Does that have to be downloaded to the 1 laptop on the boat? 21 A. Yes. It would be when you grue the 22 program to get your weekly updates, it would also 23 download and yoperational updates, from my knowledge. 24 Q. And that's what, a weekly syno 25 A. It's 26 Q synchromistion? 27 A. It's 28 Moore - April 28, 2025 29 Q synchromistion? 30 A. It's up to the vessel, but it's to be 30 domined and yoperational updates, from my knowledge. 31 A. I's delete that information from the Rose 32 Octave eachly updates, from any nowledge. 33 A. It's up to the vessel, but it's to be 34 A. The Rose Point data backup is only for 35 A. I's up to the vessel, but it's to be 36 A. Ro. 39 Q. So is there a specific day of the week? 30 days is obstailed. 30 A. Before and after the incident, but I'w could have 30 that was downloaded? 31 A. It was e-mailed 32 A. It was e-mailed 34 A. It was e-mailed over to somebody in the 35 Q. Somebody with 36 Q. Somebody with 37 A. It was e-mailed over to somebody 36 Q. Somebody with 38 A. It was e-mailed over to somebody 39 A. It's was e-mailed over to somebody 30 Q. Somebody with 39 Q. Somebody with 40 Q. Did anybody provide it to the Coast 30 A. Yes. 30 A. Yes. 31 A. I believe teamy did it. 30 Q. Rose body in the Carver team, either 39 Q. How the was downloaded and the weekly and pount of the	_	Page 118		Page 120
a call it, in the cloud? A. Actually, I don't know. It's based— it's a computer program that you download to the said laptop, and so it's downloaded - chart updates and everything less is downloaded directly to — to the laptop itself. Q. What's responsible for updating it? A. The master or mate. Q. So meybe my quantion's not clear, so I apologise for that. I'm trying to figure out, the Rose Point pushes out, I'll call them updates — I'm trying to figure out, the Rose Point pushes out, I'll call them updates — I'm trying to figure out, the Rose Point pushes out, I'll call them updates — I'm trying to figure out, the Rose Point don't know if they bave like a regular release schedule, that sort of thing. Dose that have to be downloaded to the laptop on the boat? A. Yes. It would be — when you sync the program to get your weekly updates, it would also download any operational updates, from my knowledge. Q. And that's what, a weekly sync — A. It's — Moore - April 28, 2025 A. It's up to the vessel, but it's to be dome weekly, had you have to prompt it to do it. A. No. Q. So is there as specificity around doing it on a weekly basis laid out somewhere in the safery management system? A. I baliewe so, but I — correction. I don't know of the top of my — off the top of my head. Q. Mas anything downloaded after the Rose Point system on the MAXEMEDER ROSE immediately after the allision with the bridge on Jume 15, 2004? A. The Blieve has possible for updating it? A. The file - the Rose Point data. Q. Mas anything downloaded after the Rose Point system on the MAXEMEDER ROSE immediately after the allision with the bridge on Jume 15, 2004? A. The file - the Rose Point data. Q. Mas anything downloaded after they arrived in New York Barbor, and that's broken out in — I believe it's in one-hour increments. Q. Ros have you also who him the Scoe Point data. MR. RODERS: No you know		-		
1 know it was during the incident, but I would have be it's a computer program that you download to the said lagtop, and no it's downloadd — chart updates and verything else is downloaded — chart updates and verything else is downloaded irrectly to — to the lagtop itself. 9 Q. Who's responsible for updating it? 10 A. The master or mate. 11 Q. So maybe my question's not clear, so I layong see that. 12 apologize for that. 13 apologize for that. 14 pushes out, I'll call them updates — 17 the specific that them updates — 18 Q. — to the system from time to time. I layong the hoat? 19 Does that have to be downloaded to the layong the beauty of they have like a regular release schedule, that sort of thing. 19 Does that have to be downloaded to the layong the beauty of the hoat? 21 A. Yes. It would be — when you sync the program to get your weekly updates, it would also done weekly, and you have to prompt it to do it. 20 Q. Fard that's what, a weekly sync — 24 A. It's up to the vessel, but it's to be done weekly, and you have to prompt it to do it. 21 Q. Rob share a specificity around doing it on a weekly basis laid out somewhere in the safety menagement system? 22 A. The specificity around doing it on a weekly basis laid out somewhere in the safety menagement system? 23 Q. Rob anything downloaded from the Rose Point system on the NACKONZIE ROSE immediately after the allision with the bridge or Jume 15, 2024? 24 A. The file — the Rose Point the top of my — off the top				
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6 laptop, and so it's downloaded chart updates and 7 everything else is downloaded directly to to the 1 laptop itself. 9				-
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		Page 122	1	April 28, 2025
1		Moore - April 28, 2025	1	Moore - April 28, 2025
2	up to	about the Gilmerton reach in the southern	2	Q. And I don't know how definitive the Rose
3	-	n of the Elizabeth River, and that's the	3	Point data is, but can you see it as it transits
4		data. It never gets the vessel up to the	4	through the opening of the bridge through the
5	bridge		5	channel?
6	222030	So I'm just asking this witness what did	6	A. Yes.
7	he see		7	Q. And did it appear to contact either the
8	A.	I would have to	8	western or the eastern fender when doing so?
9	A.	MR. RODGERS: Go ahead. Yeah, if you	9	A. It was it favored the western end of
10	rememb	per what you saw, go ahead.	10	the channel.
11	A.	It'd be better off to reference it	11	
12	again.	it'd be better oil to reference it	12	Q. Could you tell whether it contacted the western fender?
		The first tosting rooms moment of that		
13	Q.	I'm just testing your memory of what	13	A. No, I can't from visual.
14	Α.	Yeah, which I I understand.	14	Q. If you could turn to the next page which
15	Q.	What do you remember?	15	is, I think, Distracted Operations.
16	Α.	It was I remember him coming around	16	A. Yep. 7.2.
17		ing any any hard course changes and	17	Q. Yeah, Section 7.2. And the reference is
18	_	gradualently [sic] constant radius turn	18	to Carver 908.
19	•	t. But it doesn't overlay the length of	19	MR. RODGERS: What number is 908?
20	-	It's not like a ship's overlay. It	20	Okay. Got you.
21		you like true length, width. It just	21	MR. CHAPMAN: 908, yeah.
22	shows you th	ne icon for the vessel.	22	Q. So in the third sentence of that first
23	Q.	Hitting the west pier of the bridge?	23	paragraph, it says Examples of inattentive operations
24		MR. RODGERS: Objection.	24	can include eating, drinking, smoking, use of
25	A.	Into the area	25	personal electronics devices including
1				
		Page 123		Page 125
1		Page 123 Moore - April 28, 2025	1	Page 125 Moore - April 28, 2025
1 2				
	him if	Moore - April 28, 2025	1	Moore - April 28, 2025
2	him if	Moore - April 28, 2025 MR. RODGERS: Objection. You're asking	1 2	Moore - April 28, 2025 nontask-related cell phone use, and distractions that
2 3		Moore - April 28, 2025 MR. RODGERS: Objection. You're asking the Rose Point shows the hit?	1 2 3	Moore - April 28, 2025 nontask-related cell phone use, and distractions that take you away from your primary duties/tasks for the
2 3 4	Α.	Moore - April 28, 2025 MR. RODGERS: Objection. You're asking the Rose Point shows the hit? It doesn't	1 2 3 4	Moore - April 28, 2025 nontask-related cell phone use, and distractions that take you away from your primary duties/tasks for the safe operation of the vessel.
2 3 4 5	Α.	Moore - April 28, 2025 MR. RODGERS: Objection. You're asking the Rose Point shows the hit? It doesn't MR. RODGERS: Whatever you remember	1 2 3 4 5	Moore - April 28, 2025 nontask-related cell phone use, and distractions that take you away from your primary duties/tasks for the safe operation of the vessel. So basically, Carver is spelling out
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			Aprii 28, 2025
1	Page 126		Page 128
1	Moore - April 28, 2025	1	Moore - April 28, 2025
2	Q. Did you ask him to provide his cell	2	red mark or some kind of notification
3	phone to you to see whether it indicated whether he	3	A. Correct.
4	had been using it at the time of the allision?	4	Q that tells you that the form has not
5	A. We did not.	5	been completed?
6	Q. Was any inquiry made of him whether he	6	A. Correct.
7	was eating, drinking I don't know whether he	7	Q. And how soon after the day is over does
8	smokes or not, but or smoking at the time of the	8	that red mark appear?
9	allision?	9	A. I don't know off the top of my head.
10	A. I didn't do the interview, so Lenny	10	Q. Who monitors that?
11	would know that one.	11	A. Everybody has the opportunity to monitor
12	Q. Is there any requirement in this	12	it.
13	distracted operations to place your cell phone in	13	Q. When you say everybody, you mean you do?
14	airplane mode when you are the officer of the watch?	14	A. Yeah. Everybody within the Carver
15	A. Not to my knowledge.	15	Marine Towing division.
16	Q. So if you turn to the next page, which	16	Q. Okay. So Mr. Baldassare would?
17	is starts with Carver 8998, and titled 7.3	17	A. He would also have access to it, yes.
18	Master's Daily Vessel Reporting.	18	Q. So just looking at this form, it looks
19	I don't know whether there's actually a	19	like there's a number of fields that have to be
20	section in the TSMS titled 7.3 Master's Daily Vessel	20	filled out, and then they say, over on the right-hand
21	Reporting or if it's only this form that has to be	21	side of each page, Required.
22	filled out. Do you know?	22	Do you see that?
23	A. I believe this is the form number in	23	A. Yes, sir.
24	Helm.	24	Q. And then there's a few that have
25	Q. Yeah. No, I get that.	25	looks like a is this a drop-down menu? Like on
	Page 127	+	Page 129
1	Page 127 Moore - April 28, 2025	1	Page 129 Moore - April 28, 2025
1 2			
	Moore - April 28, 2025	1	Moore - April 28, 2025
2	Moore - April 28, 2025 What I'm trying to figure out is whether	1 2	Moore - April 28, 2025 the page 899, it says Lookout?
2 3	Moore - April 28, 2025 What I'm trying to figure out is whether there's a separate section in the TSMS that may have	1 2 3	Moore - April 28, 2025 the page 899, it says Lookout? A. Lookout also has the options, 1.13.
2 3 4	Moore - April 28, 2025 What I'm trying to figure out is whether there's a separate section in the TSMS that may have the title 7.3 Master's Daily Vessel Reporting.	1 2 3 4	Moore - April 28, 2025 the page 899, it says Lookout? A. Lookout also has the options, 1.13. Q. Yeah. It looks like it's required to be
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Moore - April 28, 2025 What I'm trying to figure out is whether there's a separate section in the TSMS that may have the title 7.3 Master's Daily Vessel Reporting. A. I don't know off the top of my head. I have to reference it. Q. So this is a I'll call it a blank form which has been printed out and it's kind of nobody's entered any data in it, correct? A. Yes, sir. Q. And it runs through page 906, right? A. Yes, sir. Q. This is submitted in Helm every day, right? A. Correct. Q. Or should be? A. Yes, sir. Q. And who at Carver reviews these forms for, I'll call it, compliance, right? A. They are it's not auto populated to a specific individual. They're just there for reference, and if it's not done by the captain or crew, it does get added flagged as incomplete, so	1 2 3 4 4 5 6 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Moore - April 28, 2025 the page 899, it says Lookout? A. Lookout also has the options, 1.13. Q. Yeah. It looks like it's required to be filled out, if that's what that word required means, but that it's a drop-down or say which it says no, yes or N/A. A. Correct. To complete the form, all of the required boxes would have to be acknowledged. Q. So only to finish until you filled out all the required? A. Correct. Q. Okay. So I presume N/A means not applicable? A. Yes. Q. Is MR. RODGERS: I'm sorry. What Bates stamp number are you on? MR. CHAPMAN: 899. MR. RODGERS: 899? MR. CHAPMAN: Yeah. Q. And if the Lookout box is checked yes, then there should be somebody's name in the next box,
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Moore - April 28, 2025 What I'm trying to figure out is whether there's a separate section in the TSMS that may have the title 7.3 Master's Daily Vessel Reporting. A. I don't know off the top of my head. I have to reference it. Q. So this is a I'll call it a blank form which has been printed out and it's kind of nobody's entered any data in it, correct? A. Yes, sir. Q. And it runs through page 906, right? A. Yes, sir. Q. This is submitted in Helm every day, right? A. Correct. Q. Or should be? A. Yes, sir. Q. And who at Carver reviews these forms for, I'll call it, compliance, right? A. They are it's not auto populated to a specific individual. They're just there for reference, and if it's not done by the captain or	1 2 3 4 4 5 6 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Moore - April 28, 2025 the page 899, it says Lookout? A. Lookout also has the options, 1.13. Q. Yeah. It looks like it's required to be filled out, if that's what that word required means, but that it's a drop-down or say which it says no, yes or N/A. A. Correct. To complete the form, all of the required boxes would have to be acknowledged. Q. So only to finish until you filled out all the required? A. Correct. Q. Okay. So I presume N/A means not applicable? A. Yes. Q. Is MR. RODGERS: I'm sorry. What Bates stamp number are you on? MR. CHAPMAN: 899. MR. RODGERS: 899? MR. CHAPMAN: Yeah. Q. And if the Lookout box is checked yes,
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Moore - April 28, 2025 What I'm trying to figure out is whether there's a separate section in the TSMS that may have the title 7.3 Master's Daily Vessel Reporting. A. I don't know off the top of my head. I have to reference it. Q. So this is a I'll call it a blank form which has been printed out and it's kind of nobody's entered any data in it, correct? A. Yes, sir. Q. And it runs through page 906, right? A. Yes, sir. Q. This is submitted in Helm every day, right? A. Correct. Q. Or should be? A. Yes, sir. Q. And who at Carver reviews these forms for, I'll call it, compliance, right? A. They are it's not auto populated to a specific individual. They're just there for reference, and if it's not done by the captain or crew, it does get added flagged as incomplete, so	1 2 3 4 4 5 6 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Moore - April 28, 2025 the page 899, it says Lookout? A. Lookout also has the options, 1.13. Q. Yeah. It looks like it's required to be filled out, if that's what that word required means, but that it's a drop-down or say which it says no, yes or N/A. A. Correct. To complete the form, all of the required boxes would have to be acknowledged. Q. So only to finish until you filled out all the required? A. Correct. Q. Okay. So I presume N/A means not applicable? A. Yes. Q. Is MR. RODGERS: I'm sorry. What Bates stamp number are you on? MR. CHAPMAN: 899. MR. RODGERS: 899? MR. CHAPMAN: Yeah. Q. And if the Lookout box is checked yes, then there should be somebody's name in the next box,

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1	Page 130 Moore - April 28, 2025	1	Page 132 Moore - April 28, 2025
2	Q. And the times that the lookout was on	2	Q. So it's either the day of or the day
3	watch, right?	3	before, depending on when it's filled out?
4	A. Yes, sir.	4	A. Correct.
5	Q. There's not a regular review of these,	5	Q. If you wanted to create a report or
6	like somebody sits down at the end of every week and	6	print out a period of time for the specific vessel,
7	checks how they	7	MACKENZIE ROSE, say nine months or ten months, what
8	MR. RODGERS: Objection to form.	8	would you have to do in the Helm system to produce
9	Q checks how they filled them out or	9	that?
10	that sort of thing?	10	A. That would require a lot of work
11	MR. RODGERS: Did you get did you get	11	individually, I believe. You would have to go
12	that?	12	through each individual day and pull each individual
13	(The record was read.)	13	log and save it as a PDF.
14	MR. RODGERS: Okay. Objection, form.	14	Q. And when you save something as a PDF, is
15	You can answer, Brian.	15	there like a Save to PDF button or how does that
16	THE WITNESS: Okay.	16	work?
17	MR. RODGERS: Sorry.	17	A. I would have to reference it again, but
18	Sorry, Jim.	18	you can go to Print and then you can change your
19	A. I don't believe that there's somebody	19	formatting from Printer to a PDF.
20	who individually looks at them.	20	Q. Okay. So if you could turn to the next
21	Q. Nobody is tasked with that	21	Section 7.4 on Vessel Manning
22	responsibility?	22	A. Yes, sir.
23	A. Correct.	23	0 which is Carver 909.
24	Q. Okay. Then it looks like on pages 905	24	I should ask. There's a few pages in
25	and 906, there's some certification requirement.	25	here that have photographs imbedded in them.
1	Page 131 Moore - April 28, 2025	1	Page 133 Moore - April 28, 2025
2	A. Correct.	2	Are these photographs that Carver has
3	Q. And if I'm reading this correctly, on	3	included or are these photographs that whoever you
4	page 906, both the captain and the mate must sign	4	buy the system from has included?
5	this form, right?	5	A. These photographs are supplied by TBS.
6	A. Yes.	6	Q. Basically, this is just a direction that
7	Q. So is there any place in this log where	7	you have to man the vessel in accordance with the
8	it's required to note an incident that has occurred	8	certificate of inspection, correct?
9		-	ceretificate of inspection, correct.
-	during this date that it's being submitted for?	9	A. Correct.
10	during this date that it's being submitted for? A. No, not on this form. This form is done	10	A. Correct. O. Can you turn to Section 7.12. It is
10 11	A. No, not on this form. This form is done	9 10 11	A. Correct. Q. Can you turn to Section 7.12. It is Carver Bates numbered 910.
11	A. No, not on this form. This form is done at the end correction, at the beginning of every	10	Q. Can you turn to Section 7.12. It is Carver Bates numbered 910.
	A. No, not on this form. This form is done	10 11	Q. Can you turn to Section 7.12. It is Carver Bates numbered 910.
11 12	A. No, not on this form. This form is done at the end correction, at the beginning of every day, prior to anything transpiring.	10 11 12	Q. Can you turn to Section 7.12. It is Carver Bates numbered 910. A. What section was that again?
11 12 13	A. No, not on this form. This form is done at the end correction, at the beginning of every day, prior to anything transpiring. Q. When you say at the beginning, like	10 11 12 13	Q. Can you turn to Section 7.12. It is Carver Bates numbered 910. A. What section was that again? Q. It's called Bridge Transit, 7.12. It is
11 12 13 14	A. No, not on this form. This form is done at the end correction, at the beginning of every day, prior to anything transpiring. Q. When you say at the beginning, like 12:01 a.m.? A. Correct.	10 11 12 13 14	Q. Can you turn to Section 7.12. It is Carver Bates numbered 910. A. What section was that again? Q. It's called Bridge Transit, 7.12. It is towards the end of that document.
11 12 13 14 15	A. No, not on this form. This form is done at the end correction, at the beginning of every day, prior to anything transpiring. Q. When you say at the beginning, like 12:01 a.m.? A. Correct.	10 11 12 13 14 15	Q. Can you turn to Section 7.12. It is Carver Bates numbered 910. A. What section was that again? Q. It's called Bridge Transit, 7.12. It is towards the end of that document. A. And the Bates number was?
11 12 13 14 15 16	A. No, not on this form. This form is done at the end correction, at the beginning of every day, prior to anything transpiring. Q. When you say at the beginning, like 12:01 a.m.? A. Correct. Q. So it's really a review of the prior	10 11 12 13 14 15 16	Q. Can you turn to Section 7.12. It is Carver Bates numbered 910. A. What section was that again? Q. It's called Bridge Transit, 7.12. It is towards the end of that document. A. And the Bates number was? Q. 910.
11 12 13 14 15 16 17	A. No, not on this form. This form is done at the end correction, at the beginning of every day, prior to anything transpiring. Q. When you say at the beginning, like 12:01 a.m.? A. Correct. Q. So it's really a review of the prior day?	10 11 12 13 14 15 16 17	Q. Can you turn to Section 7.12. It is Carver Bates numbered 910. A. What section was that again? Q. It's called Bridge Transit, 7.12. It is towards the end of that document. A. And the Bates number was? Q. 910. It looks like this. There's a big
11 12 13 14 15 16 17 18	A. No, not on this form. This form is done at the end correction, at the beginning of every day, prior to anything transpiring. Q. When you say at the beginning, like 12:01 a.m.? A. Correct. Q. So it's really a review of the prior day? MR. RODGERS: Objection to form.	10 11 12 13 14 15 16 17 18	Q. Can you turn to Section 7.12. It is Carver Bates numbered 910. A. What section was that again? Q. It's called Bridge Transit, 7.12. It is towards the end of that document. A. And the Bates number was? Q. 910. It looks like this. There's a big yellow bar in the middle of it.
11 12 13 14 15 16 17 18 19	A. No, not on this form. This form is done at the end correction, at the beginning of every day, prior to anything transpiring. Q. When you say at the beginning, like 12:01 a.m.? A. Correct. Q. So it's really a review of the prior day? MR. RODGERS: Objection to form. MR. CHAPMAN: Good objection.	10 11 12 13 14 15 16 17 18 19	Q. Can you turn to Section 7.12. It is Carver Bates numbered 910. A. What section was that again? Q. It's called Bridge Transit, 7.12. It is towards the end of that document. A. And the Bates number was? Q. 910. It looks like this. There's a big yellow bar in the middle of it. A. Okay.
11 12 13 14 15 16 17 18 19 20	A. No, not on this form. This form is done at the end correction, at the beginning of every day, prior to anything transpiring. Q. When you say at the beginning, like 12:01 a.m.? A. Correct. Q. So it's really a review of the prior day? MR. RODGERS: Objection to form. MR. CHAPMAN: Good objection. Q. It's a log of the activities of the	10 11 12 13 14 15 16 17 18 19	Q. Can you turn to Section 7.12. It is Carver Bates numbered 910. A. What section was that again? Q. It's called Bridge Transit, 7.12. It is towards the end of that document. A. And the Bates number was? Q. 910. It looks like this. There's a big yellow bar in the middle of it. A. Okay. Q. Found it?
11 12 13 14 15 16 17 18 19 20 21	A. No, not on this form. This form is done at the end correction, at the beginning of every day, prior to anything transpiring. Q. When you say at the beginning, like 12:01 a.m.? A. Correct. Q. So it's really a review of the prior day? MR. RODGERS: Objection to form. MR. CHAPMAN: Good objection. Q. It's a log of the activities of the prior day; is that correct?	10 11 12 13 14 15 16 17 18 19 20 21	Q. Can you turn to Section 7.12. It is Carver Bates numbered 910. A. What section was that again? Q. It's called Bridge Transit, 7.12. It is towards the end of that document. A. And the Bates number was? Q. 910. It looks like this. There's a big yellow bar in the middle of it. A. Okay. Q. Found it? A. Bridge Transits. Yeah.
11 12 13 14 15 16 17 18 19 20 21 22	A. No, not on this form. This form is done at the end correction, at the beginning of every day, prior to anything transpiring. Q. When you say at the beginning, like 12:01 a.m.? A. Correct. Q. So it's really a review of the prior day? MR. RODGERS: Objection to form. MR. CHAPMAN: Good objection. Q. It's a log of the activities of the prior day; is that correct? A. I don't know if I could answer that	10 11 12 13 14 15 16 17 18 19 20 21 22	Q. Can you turn to Section 7.12. It is Carver Bates numbered 910. A. What section was that again? Q. It's called Bridge Transit, 7.12. It is towards the end of that document. A. And the Bates number was? Q. 910. It looks like this. There's a big yellow bar in the middle of it. A. Okay. Q. Found it? A. Bridge Transits. Yeah. Q. So I don't know what 7.10 or 7.11 say,
11 12 13 14 15 16 17 18 19 20 21 22 23	A. No, not on this form. This form is done at the end correction, at the beginning of every day, prior to anything transpiring. Q. When you say at the beginning, like 12:01 a.m.? A. Correct. Q. So it's really a review of the prior day? MR. RODGERS: Objection to form. MR. CHAPMAN: Good objection. Q. It's a log of the activities of the prior day; is that correct? A. I don't know if I could answer that correctly.	10 11 12 13 14 15 16 17 18 19 20 21 22 23	Q. Can you turn to Section 7.12. It is Carver Bates numbered 910. A. What section was that again? Q. It's called Bridge Transit, 7.12. It is towards the end of that document. A. And the Bates number was? Q. 910. It looks like this. There's a big yellow bar in the middle of it. A. Okay. Q. Found it? A. Bridge Transits. Yeah. Q. So I don't know what 7.10 or 7.11 say, but what's the reason for having a separate section

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				April 28, 2025
1	Moore - April 28, 2025	Page 134		Page 136 Moore - April 28, 2025
2	MR. RODGERS: Objection t		Α.	More than one, correct.
3	You can answer if you kno		Q.	More than two?
4	A. I don't know.	4	Α.	More than two.
5	Q. Is it because they're a h		Q.	Was there any bridge planning that you
6	navigational system?	azaruous 5	_	or that you learned of during your
7	MR. RODGERS: Objection.	7	investiga	
	· ·		IIIVESCI9a	
8	A. No.	8		MR. RODGERS: Objection to form.
9	Q. So would you agree with m	-		You can answer if you understand the
10	bridge has a certain width that you've		-	estion.
11	the whatever you're whether it's		Α.	They would have made radio contact with
12	you're pushing a barge through	12	_	ge operators that are in the close
13	A. Correct.	13		conditions. Other than that, it's a fairly
14	Q right?	14	-	mel of water.
15	So it's a restricted chan		Q.	So was there any consideration that you
16	MR. RODGERS: Objection.			given to assigning a crew member with a radio
17	as an expert.	17	to the he	ead of the tow?
18	You can answer as to your			MR. RODGERS: Objection to form.
19	A. I wouldn't say it's a res	tricted 19	A.	Not to my knowledge.
20	channel.	20	Q.	The vessel had handheld radios, correct?
21	Q. You would not?	21	A.	Correct.
22	A. No. It's an everyday nav	rigational 22	Q.	Right in the middle of that page,
23	channel, especially in Norfolk or New	York. 23	there's t	this kind of highlighted statement, sort of
24	Q. Have you operated a tug i	n the southern 24	yellow or	orange in color.
25	branch of the Elizabeth River?	25		It says Under no circumstances shall the
		Page 135		Page 137
1	Moore - April 28, 2025	1		Moore - April 28, 2025
2	A. I have spent a lot of time	e in the 2	wheelman	responsible for the transit make the bridge
3	southern branch.	3	due to pr	ressure or pride.
4	Q. And that's not for Carver	though? 4		What is the purpose of that statement?
5	A. Yep. With K-Sea Transpor	tation and Vane 5		MR. RODGERS: Objection to form.
6	Brothers.	6		You can answer.
7	Q. Okay. So there are do	you know where 7	A.	I don't know.
8	they picked up this barge in Norfolk,	or actually in 8	Q.	Well, if you were the operator of the
9	Chesapeake?	9	tug and r	read that before you made a bridge transit,
10	A. Reference to the area? Y	'es, I'm 10	what woul	d be your takeaway?
11	familiar with it, all the way down the	near the 11		MR. RODGERS: Objection. It calls for
12	end.	12	spe	eculation and opinion.
13	Q. Yeah.	13	A.	Well, I don't know how to answer that
14	So it was picked up at a		one.	
15	Coastal Precast Systems.	15	Q.	I'm sorry?
16	A. Correct.	16	A.	I don't know how to answer that one.
17	Q. A barge loaded with some		Q.	Well, so you're the general manager of
18	concrete	18	carver.	
19	A. Yes, sir.	19	A.	Yes.
20	Q cargo, right?	20	Q.	And you expect your employees to follow
21	A. Yep.	21		this safety management system, right?
	Q. And do you know how many		W. A.	Correct.
44	had to transit to get out to the sea b		Q.	So what is your expectation about what
22 23		-		
23	A. Not off the top of my hea	d. 24	thev're o	iolng to do when it says under no
	A. Not off the top of my hea Q. More than one?	d. 24 25		going to do when it says Under no unces, shall the wheelman responsible for the

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			April 28, 2025
1	Page 138 Moore - April 28, 2025	1	Page 140 Moore - April 28, 2025
2	transit make the bridge due to pressure or pride?	2	MR. RODGERS: Just to be clear, at the
3	MR. RODGERS: Objection to form.	3	time of the incident?
4	A. The I'm	4	MR. CHAPMAN: Yes.
5	MR. RODGERS: Don't quess.	5	MR. RODGERS: Okay. That's the question
6	THE WITNESS: Yep.	6	he's asking you.
7	MR. RODGERS: Whatever you know. Tell	7	A. Yeah, I I don't know off the top of
8	him what you know.	8	my head, to my knowledge.
9	A. I don't know.	9	0. Is that information contained in the
10	Q. You don't know?	10	Rose Point data that was downloaded?
11	A. I don't know what this statement would	11	A. It is not.
12	lean to.	12	O. Where would one obtain that information
13	Q. Not even an inkling?	13	if you wanted to know whether the radar was in use at
14	MR. RODGERS: Objection. He's you're	14	the time of the allision?
15	harassing the witness, Jim.	15	
16	A. I didn't build I didn't make this	16	A. I don't know where you would get that from.
17		17	
18	SMS, so it was here prior to me, so I'm not sure. Q. Have you ever reviewed the safety	18	Q. Then the third bullet under During Transit, it says Post lookouts as necessary on the
	-		-
19 20	management system in your role as general manager? A. I've gone through it, yes.	19 20	tow.
21	3	20	Do you see that? A. Yes, sir.
	Q. So when you've gone through it in the	22	•
22 23	past and you got to this place, what did it occur to		Q. Is there any training provided by Carver
	you was meant by it?	23	regarding the circumstances under which lookouts
24	MR. RODGERS: Objection.	24	should be posted as necessary on the tow during a
25	A. This is just one sentence out of	25	bridge transit?
	Page 139		Page 141
1	Moore - April 28, 2025	1	Moore - April 28, 2025
2	thousands in this whole thing to review. So I don't have a clear definitive answer for this statement.	2	A. I would have to reference the SMS on
4			
4	O The sestion wight undermosth it is	3	what the requirements would be for.
	Q. The section right underneath it is	4	Q. So there might be some other section of
5	called Safety Briefing, on this page.	4 5	Q. So there might be some other section of the SMS; is that what you're saying?
5 6	called Safety Briefing, on this page. Do you see that?	4 5 6	Q. So there might be some other section of the SMS; is that what you're saying? A. It's possible. I would need to look
5 6 7	called Safety Briefing, on this page. Do you see that? A. Yep.	4 5 6 7	Q. So there might be some other section of the SMS; is that what you're saying? A. It's possible. I would need to look into it.
5 6 7 8	called Safety Briefing, on this page. Do you see that? A. Yep. Q. In your investigation with	4 5 6 7 8	Q. So there might be some other section of the SMS; is that what you're saying? A. It's possible. I would need to look into it. Q. So if you could turn to Section 7.5.
5 6 7 8 9	called Safety Briefing, on this page. Do you see that? A. Yep. Q. In your investigation with Mr. Baldassare, did you find that the a captain	4 5 6 7 8	Q. So there might be some other section of the SMS; is that what you're saying? A. It's possible. I would need to look into it. Q. So if you could turn to Section 7.5. It's a little before 7.12 there.
5 6 7 8 9	called Safety Briefing, on this page. Do you see that? A. Yep. Q. In your investigation with Mr. Baldassare, did you find that the a captain responsible for the transit through the belt line	4 5 6 7 8 9	Q. So there might be some other section of the SMS; is that what you're saying? A. It's possible. I would need to look into it. Q. So if you could turn to Section 7.5. It's a little before 7.12 there. A. Okay.
5 6 7 8 9 10 11	called Safety Briefing, on this page. Do you see that? A. Yep. Q. In your investigation with Mr. Baldassare, did you find that the a captain responsible for the transit through the belt line bridge on June 15th, 2024 briefed the crew on the	4 5 6 7 8 9 10 11	Q. So there might be some other section of the SMS; is that what you're saying? A. It's possible. I would need to look into it. Q. So if you could turn to Section 7.5. It's a little before 7.12 there. A. Okay. Q. And the page is Carver 000816.
5 6 7 8 9 10 11 12	called Safety Briefing, on this page. Do you see that? A. Yep. Q. In your investigation with Mr. Baldassare, did you find that the a captain responsible for the transit through the belt line bridge on June 15th, 2024 briefed the crew on the planned transit?	4 5 6 7 8 9 10 11 12	Q. So there might be some other section of the SMS; is that what you're saying? A. It's possible. I would need to look into it. Q. So if you could turn to Section 7.5. It's a little before 7.12 there. A. Okay. Q. And the page is Carver 000816. MR. RODGERS: 7.15?
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			April 28, 2025
	Page 142	1	Page 144
1 2	Moore - April 28, 2025 off.	1 2	Moore - April 28, 2025
3			Can you tell us what a TVR is.
	Q. Yeah.	3	A. I don't know off the top of my head. I believe it's the old towing vessel record that they
4	Is that reflected in the Rose Point	4	-
5	data?	5	used to utilize before the digital logs.
6	A. No. They're not synced.	6	Q. Before what?
7	Q. So but you but it to your	7	A. Digital logs.
8	knowledge, it's always on	8	Q. Okay. And then the official logbook, is
9	A. Correct.	9	it what is that?
10	Q right?	10	A. It would be Helm, the logbook entries in
11	And what information will a fathometer	11	Helm.
12	tell you?	12	Q. So is the TVR the old deck log that sits
13	A. The under keel clearance from the	13	in the wheelhouse?
14	tugboat.	14	A. I from my history, I think believe
15	Q. And do you know how deep draft the	15	the TVR is where the old blue logbook entries that
16	MACKENZIE ROSE is?	16	you would submit every day as like a running deck
17	A. At the time, no, I don't know. I have	17	log correction, as a running logbook entry.
18	an idea. She drafts 15 to 16 feet.	18	Q. So it would still be submitted
19	Q. And then the fathometer would tell you	19	electronically?
20	how much clearance there is underneath that keel	20	A. TVRs were a hard copy blue book binder
21	draft	21	that was on the older towing vessels.
22	A. Correct.	22	Q. Okay. And then the last one, it says Or
23	Q to the bottom?	23	in accordance with the HSP applicable to the vessel.
24	A. Correct. To the sensor on the bottom.	24	What is an HSP?
25	Q. And a little further down, it's like the	25	A. I don't know. I'd have to look at the
	Page 143		Page 145
1	Moore - April 28, 2025	1	Moore - April 28, 2025
2	third bullet from the bottom, it says Radars	2	key, but I couldn't tell you exactly with that one.
3	A. Yes, sir.	3	Q. So when you say the key, there's a key
4	Q as a piece of equipment.	4	or a glossary or something for those
5	Do you know how many radars there are on	5	A. If there was one. You would have to
6	the MACKENZIE ROSE?	6	find a reference somewhere else.
7	A. There's two radars.	7	Q. Okay. Then the next section says Use of
8	Q. And the next bullet down, Handheld VHF.	8	auto pilot, (if equipped)?
9	I assume that's a radio	9	A. Yep.
10	A. Correct.	10	Q. So is there any time that an auto
11	Q right?	11	pilot that auto pilot use is prohibited by the
	Do you know how many handheld VHFs the	12	company?
12			
13	MACKENZIE ROSE has as a complement?	13	MR. RODGERS: I'm sorry. By the SMS or
	MACKENZIE ROSE has as a complement? A. More than two. I don't know exact	14	some other group?
13 14 15	MACKENZIE ROSE has as a complement? A. More than two. I don't know exact number, though.	14 15	some other group? MR. CHAPMAN: I'm just asking about
13 14 15 16	MACKENZIE ROSE has as a complement? A. More than two. I don't know exact number, though. Q. Okay. You can turn to the next page,	14 15 16	some other group? MR. CHAPMAN: I'm just asking about Section 7.5 on navigation. It says use of auto
13 14 15 16 17	MACKENZIE ROSE has as a complement? A. More than two. I don't know exact number, though. Q. Okay. You can turn to the next page, please.	14 15 16 17	some other group? MR. CHAPMAN: I'm just asking about Section 7.5 on navigation. It says use of auto pilot (if equipped).
13 14 15 16	MACKENZIE ROSE has as a complement? A. More than two. I don't know exact number, though. Q. Okay. You can turn to the next page, please. In the first section there under	14 15 16 17 18	some other group? MR. CHAPMAN: I'm just asking about Section 7.5 on navigation. It says use of auto
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13 14 15 16 17 18 19	MACKENZIE ROSE has as a complement? A. More than two. I don't know exact number, though. Q. Okay. You can turn to the next page, please. In the first section there under Maintenance of Navigation Equipment, it looks like	14 15 16 17 18 19	some other group? MR. CHAPMAN: I'm just asking about Section 7.5 on navigation. It says use of auto pilot (if equipped). Q. Is there any time that the company prohibits the use of the auto pilot system?
13 14 15 16 17 18 19 20	MACKENZIE ROSE has as a complement? A. More than two. I don't know exact number, though. Q. Okay. You can turn to the next page, please. In the first section there under Maintenance of Navigation Equipment, it looks like there's three paragraphs, but in the middle	14 15 16 17 18 19 20	some other group? MR. CHAPMAN: I'm just asking about Section 7.5 on navigation. It says use of auto pilot (if equipped). Q. Is there any time that the company prohibits the use of the auto pilot system? A. I would have to reference the SMS again.
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13 14 15 16 17 18 19 20 21 22	MACKENZIE ROSE has as a complement? A. More than two. I don't know exact number, though. Q. Okay. You can turn to the next page, please. In the first section there under Maintenance of Navigation Equipment, it looks like there's three paragraphs, but in the middle paragraph, the longer of the three, last sentence says The failure and subsequent repair or replacement	14 15 16 17 18 19 20 21 22	some other group? MR. CHAPMAN: I'm just asking about Section 7.5 on navigation. It says use of auto pilot (if equipped). Q. Is there any time that the company prohibits the use of the auto pilot system? A. I would have to reference the SMS again. Q. You would agree with me that this section doesn't prohibit it, though; is that right?

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			Aprii 28, 2025
1	Page 146 Moore - April 28, 2025	1	Moore - April 28, 2025
2	A. Right, I don't see anything in here that	2	What is the vessel to dispatcher
3	says that.	3	communications procedure?
4	Q. I'm sorry. What was your answer?	4	A. I don't know of a procedure in this SMS
5	A. Oh. So I don't see anything that says	5	for that.
6	that.	6	Q. Okay. Is there any logging of
7	Q. Okay. It does call out that when it's	7	communications between the vessel and the dispatcher?
8	used in three different situations, the master has to	8	A. There is not.
9	ensure several things identified in those three	9	O. There's discussion or some information
10	bullets, correct?	10	about electronic charts and publications on page 819
11	A. Correct.	11	of Section 7.5.
12	O. Has the section on Use of Auto Pilot	12	A. Okay.
13	changed at all since June 15th, 2024?	13	Q. I understood your prior description of
14	A. Not to my knowledge.	14	the Rose Point system is it has all of the charts in
15	Q. Okay. The MACKENZIE ROSE is equipped	15	it, right?
16	with an auto pilot system, isn't it?	16	A. It has all the charts designated to the
17	A. Correct.	17	vessel's area, yes. You can download additional
18	Q. And it has two stations, right?	18	charts, if you were to transit somewhere else.
19	A. Yes.	19	Q. So was it confirmed that the vessel, the
20	Q. One in the wheelhouse and one in the	20	MACKENZIE ROSE, had the, I'll call them, necessary
21	upper wheelhouse?	21	charts or the charts that covered this segment of the
22	A. Correct.	22	transit from Coastal Precast on the southern branch
23	Q. And the next section titled Observing	23	of Elizabeth River to wherever it was going in New
24	the "Lookout" Policy, which states it's got a	24	Jersey?
25	it looks like, in quotation marks, the company's	25	A. Yes. The captain would also, or the
1	Page 147		Page 149
1	Moore - April 28, 2025	1	Moore - April 28, 2025
2	Moore - April 28, 2025 policy on lookouts, right?	1 2	Moore - April 28, 2025 mate, ensure that the prior to any voyage, that it
2 3	Moore - April 28, 2025 policy on lookouts, right? A. Yes, sir.	1 2 3	Moore - April 28, 2025 mate, ensure that the prior to any voyage, that it has the appropriate charts every voyage it has the
2 3 4	Moore - April 28, 2025 policy on lookouts, right? A. Yes, sir. Q. Okay. And then it goes on to say that	1 2 3 4	Moore - April 28, 2025 mate, ensure that the prior to any voyage, that it has the appropriate charts every voyage it has the appropriate charts.
2 3 4 5	Moore - April 28, 2025 policy on lookouts, right? A. Yes, sir. Q. Okay. And then it goes on to say that the vessel operator shall appoint and instruct a	1 2 3 4 5	Moore - April 28, 2025 mate, ensure that the prior to any voyage, that it has the appropriate charts every voyage it has the appropriate charts. Q. And does he log that somewhere?
2 3 4 5 6	Moore - April 28, 2025 policy on lookouts, right? A. Yes, sir. Q. Okay. And then it goes on to say that the vessel operator shall appoint and instruct a qualified person to perform lookout duties in any	1 2 3 4 5 6	Moore - April 28, 2025 mate, ensure that the prior to any voyage, that it has the appropriate charts every voyage it has the appropriate charts. Q. And does he log that somewhere? A. No. There is a no, there's no logs
2 3 4 5 6 7	Moore - April 28, 2025 policy on lookouts, right? A. Yes, sir. Q. Okay. And then it goes on to say that the vessel operator shall appoint and instruct a qualified person to perform lookout duties in any situation deemed appropriate by the operator.	1 2 3 4 5 6 7	Moore - April 28, 2025 mate, ensure that the prior to any voyage, that it has the appropriate charts every voyage it has the appropriate charts. Q. And does he log that somewhere? A. No. There is a no, there's no logs for that.
2 3 4 5 6 7 8	Moore - April 28, 2025 policy on lookouts, right? A. Yes, sir. Q. Okay. And then it goes on to say that the vessel operator shall appoint and instruct a qualified person to perform lookout duties in any situation deemed appropriate by the operator. What training is the operator provided	1 2 3 4 5 6 7 8	Moore - April 28, 2025 mate, ensure that the prior to any voyage, that it has the appropriate charts every voyage it has the appropriate charts. Q. And does he log that somewhere? A. No. There is a no, there's no logs for that. Q. And how does he know that he has all the
2 3 4 5 6 7 8 9	Moore - April 28, 2025 policy on lookouts, right? A. Yes, sir. Q. Okay. And then it goes on to say that the vessel operator shall appoint and instruct a qualified person to perform lookout duties in any situation deemed appropriate by the operator. What training is the operator provided on making the determination as to whether it is	1 2 3 4 5 6 7 8 9	Moore - April 28, 2025 mate, ensure that the prior to any voyage, that it has the appropriate charts every voyage it has the appropriate charts. Q. And does he log that somewhere? A. No. There is a no, there's no logs for that. Q. And how does he know that he has all the charts, then?
2 3 4 5 6 7 8 9	Moore - April 28, 2025 policy on lookouts, right? A. Yes, sir. Q. Okay. And then it goes on to say that the vessel operator shall appoint and instruct a qualified person to perform lookout duties in any situation deemed appropriate by the operator. What training is the operator provided on making the determination as to whether it is appropriate to appoint a lookout?	1 2 3 4 5 6 7 8 9 10	Moore - April 28, 2025 mate, ensure that the prior to any voyage, that it has the appropriate charts every voyage it has the appropriate charts. Q. And does he log that somewhere? A. No. There is a no, there's no logs for that. Q. And how does he know that he has all the charts, then? A. He would probably well, assumption,
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1	Moore - April 28, 2025	1	Moore - April 28, 2025
2	Q. All right. Moving to the Section 7.9 on	2	clearances (air gaps) for all bridges, ports and
3	Voyage Planning. It's the next one in there	3	berthing areas.
4	A. Okay.	4	Is there some specific section of this
5	Q which is Carver 897.	5	data voyage planning data book that highlights all
6	Do you have that?	6	that or spells it out that you have to consider when
7	A. Yes.	7	you're making or planning a voyage?
8	Q. It mentions in that first paragraph The	8	A. You would reference the voyage planning
9	Voyage Planning Data Book is to be used for the	9	data book. As for the air drafts and horizontal
10	planning as well as the following.	10	clearances, that, I do not know, but you would
11	And what is the Voyage Planning Data	11	reference the navigational chart.
12	Book?	12	Q. Are the drafts, forward and after drafts
13	A. It is a form in within Helm that	13	of the barges or barge, actually recorded somewhere?
14	covers from Maine all the way down to Florida and the	14	A. I would have to reference into that,
15	Gulf of Mexico region of particulars to look out for;	15	where they would enter that in.
16	bridges, navigation, obstructions, vessel traffic	16	Q. Okay. The last two bullets in this
17	services, and other local knowledge that might be	17	section are The voyage plan is recorded on 7.9 Voyage
18	prudent to the voyage.	18	Planning Form.
19	Q. So it's a Helm form labeled 7.9 or	19	So it sounds like there is a form to be
20	something?	20	filled out for the voyage planning?
21	A. Yeah. Not necessarily a form, but it is	21	A. There is, but you would note your deep
22	a document contained inside of Helm.	22	draft of the vessel
23	O. And does it have to be filled out in	23	Q. Okay.
24	some way?	24	A not necessarily the barge, I believe.
25	A. That is not filled out. That is just a	25	Q. The Voyage Planning Form, who fills that
	ii. Iime is not lilled out. Iime is just a	25	Q. The voyage rightning roth, who rill dide
,	Page 151	1	Page 153
1	Moore - April 28, 2025	1	Moore - April 28, 2025
2	Moore - April 28, 2025 document that they can open up and reference for	2	Moore - April 28, 2025 out?
2	Moore - April 28, 2025 document that they can open up and reference for their area.	2 3	Moore - April 28, 2025 out? A. The officer of the watch, if it's it
2 3 4	Moore - April 28, 2025 document that they can open up and reference for their area. Q. Under the first bullet, it says	2 3 4	Moore - April 28, 2025 out? A. The officer of the watch, if it's it could be the captain or the mate, whoever's doing it
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2 3 4 5 6	Moore - April 28, 2025 document that they can open up and reference for their area. Q. Under the first bullet, it says Applicable information from nautical charts and publications. See paragraph (b) of some other	2 3 4 5	Moore - April 28, 2025 out? A. The officer of the watch, if it's it could be the captain or the mate, whoever's doing it prior to departure. Q. Whoever the person that's on watch
2 3 4 5 6 7	Moore - April 28, 2025 document that they can open up and reference for their area. Q. Under the first bullet, it says Applicable information from nautical charts and publications. See paragraph (b) of some other section. I don't know what 164.72 is. But including	2 3 4 5 6 7	Moore - April 28, 2025 out? A. The officer of the watch, if it's it could be the captain or the mate, whoever's doing it prior to departure. Q. Whoever the person that's on watch A. Correct.
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Moore - April 28, 2025 document that they can open up and reference for their area. Q. Under the first bullet, it says Applicable information from nautical charts and publications. See paragraph (b) of some other section. I don't know what 164.72 is. But including Coast Pilot, Coast Guard Light List and Coast Guard Local Notice to Mariners for the port of departure, all ports of call and the destination. Do you know whether horizontal bridge clearances would be on either the charts or the Local Notice to Mariners or the Coast Pilot? A. The bridges you mentioned are located on all charts, navigation charts. Q. You can see basically where the channel opening is and then where the obstructions are, if there are any? A. Yeah, correct. Within the navigational channel, and it also identifies the air clearance, vertical clearance, horizontal clearance, and the	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Moore - April 28, 2025 out? A. The officer of the watch, if it's it could be the captain or the mate, whoever's doing it prior to departure. Q. Whoever the person that's on watch A. Correct. Q that has the license? A. Yep. Q. Okay. And then last, it says Conduct a risk assessment using 9.4 Risk Assessment form or excuse me, 9.4 Risk Assessment-GAR form. Do you know what that is? A. I know what the Risk Assessment form is. I don't know what I don't know what GAR stands for. Q. So is a Risk Assessment form something else that also has to be filled out? A. Only if it's outside of the ordinary operations. Q. And is there something that specifies
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Moore - April 28, 2025 document that they can open up and reference for their area. Q. Under the first bullet, it says Applicable information from nautical charts and publications. See paragraph (b) of some other section. I don't know what 164.72 is. But including Coast Pilot, Coast Guard Light List and Coast Guard Local Notice to Mariners for the port of departure, all ports of call and the destination. Do you know whether horizontal bridge clearances would be on either the charts or the Local Notice to Mariners or the Coast Pilot? A. The bridges you mentioned are located on all charts, navigation charts. Q. You can see basically where the channel opening is and then where the obstructions are, if there are any? A. Yeah, correct. Within the navigational channel, and it also identifies the air clearance, vertical clearance, horizontal clearance, and the type of bridge it is. Q. About midway down, the it looks like	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Out? A. The officer of the watch, if it's it could be the captain or the mate, whoever's doing it prior to departure. Q. Whoever the person that's on watch A. Correct. Q that has the license? A. Yep. Q. Okay. And then last, it says Conduct a risk assessment using 9.4 Risk Assessment form or excuse me, 9.4 Risk Assessment-GAR form. Do you know what that is? A. I know what the Risk Assessment form is. I don't know what I don't know what GAR stands for. Q. So is a Risk Assessment form something else that also has to be filled out? A. Only if it's outside of the ordinary operations. Q. And is there something that specifies when you have to fill out the Risk Assessment form and when it's not required?

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				April 28, 2025
,		Page 154	1	Page 156
1 2	٥.	Moore - April 28, 2025 You said 9.14?	1 2	Moore - April 28, 2025 transit from Coastal Precast Systems, the barge being
3	Q. A.	Oh, sorry. Correction.	3	pushed by the tug had to transit from the Gilmerton
	А.	9.4. I would have to reference the risk		Bridge or through the Gilmerton Bridge, through the
5			4 5	
6	assessment.		6	Norfolk Southern Railway Bridge, through the Jordan
7	Q.	Okay. Well, that wasn't in the	7	Bridge and ultimately, to arrive at the Norfolk and
		hat were produced, so we'll figure that		Portsmouth Belt Line Bridge, that would involve a transit of a little over five miles, assuming those
8	out.	So the next section is 7.9K titled	8	mile marker locations are correct?
	Narrigation	Watch Assessment, Norfolk, Virginia Data.		A. Correct.
10	Navigation	Do you see that?	10	
11 12	3	•	11 12	Q. Okay. And during your investigation,
	A.	Yes, sir.		did you learn anything about the speed of the
13	Q.	Starts on page Carver 000194, right?	13	MACKENZIE ROSE while it was made up and pushing gear
14	Α.	Yes.	14	to the barge from when it left the dock at Coastal
15	Q.	So we looked at 7.9, Bridge Planning,	15	Precast to up until it allided with the bridge?
16		re kind of the next thing that was	16	A. I would have to reference the Rose Point
17		us, anyway, was 7.9K, which looks like it	17	data. I don't remember it specifically.
18		Norfolk, Virginia, and the southern	18	Q. That would that is a data point that
19	branch; is	•	19	would be contained in the Rose Point data?
20	Α.	Yes, I believe so.	20	A. Correct. O. And do you know how often that data is
21	Q.	It looks to me like it includes a few	21	~ -
22		Norfolk or along the southern branch; is	22	captured in Rose Point? Like is it every minute,
23	that correc		23	every 30 seconds, or do you know?
24	Α.	Yes.	24	A. It's very frequent. I don't know
25	Q.	And it looks like the it starts with	25	exactly how many seconds in between.
1		Page 155		Page 157
1	.1 6.11	Moore - April 28, 2025	1	Moore - April 28, 2025
2	THE NOTTOIR	. and Dankamanth Dalk Time Daildon adulto	1	
2		and Portsmouth Belt Line Bridge, right?	2	Q. And I think you said earlier you can
3	A.	Yes.	3	Q. And I think you said earlier you can look at it in like one hour chunks
4	A. Q.	Yes. And that's at mile marker 9.9, right?	3 4	Q. And I think you said earlier you can look at it in like one hour chunks A. Correct.
4 5	A. Q. A.	Yes. And that's at mile marker 9.9, right? Correct.	3 4 5	Q. And I think you said earlier you can look at it in like one hour chunks A. Correct. Q right? Okay.
4 5 6	A. Q. A. Q.	Yes. And that's at mile marker 9.9, right?	3 4 5 6	Q. And I think you said earlier you can look at it in like one hour chunks A. Correct. Q right? Okay. Incident to your investigation, did you
4 5 6 7	A. Q. A. Q. what?	Yes. And that's at mile marker 9.9, right? Correct. And mile marker 9.9 is with reference to	3 4 5 6 7	Q. And I think you said earlier you can look at it in like one hour chunks A. Correct. Q right? Okay. Incident to your investigation, did you ever see any video of the barge in operation before
4 5 6 7 8	A. Q. A. Q. what?	Yes. And that's at mile marker 9.9, right? Correct.	3 4 5 6 7 8	Q. And I think you said earlier you can look at it in like one hour chunks A. Correct. Q right? Okay. Incident to your investigation, did you ever see any video of the barge in operation before it allided with the bridge?
4 5 6 7 8 9	A. Q. A. Q. what? A. my head.	Yes. And that's at mile marker 9.9, right? Correct. And mile marker 9.9 is with reference to That one, I do not know off the top of	3 4 5 6 7 8	Q. And I think you said earlier you can look at it in like one hour chunks A. Correct. Q right? Okay. Incident to your investigation, did you ever see any video of the barge in operation before it allided with the bridge? MR. RODGERS: Before he met with his
4 5 6 7 8 9	A. Q. A. Q. what? A. my head. Q.	Yes. And that's at mile marker 9.9, right? Correct. And mile marker 9.9 is with reference to That one, I do not know off the top of Okay. But and that's measured in	3 4 5 6 7 8 9	Q. And I think you said earlier you can look at it in like one hour chunks A. Correct. Q right? Okay. Incident to your investigation, did you ever see any video of the barge in operation before it allided with the bridge? MR. RODGERS: Before he met with his attorneys?
4 5 6 7 8 9 10 11	A. Q. A. Q. what? A. my head. Q. nautical mi	Yes. And that's at mile marker 9.9, right? Correct. And mile marker 9.9 is with reference to That one, I do not know off the top of Okay. But and that's measured in les, isn't it?	3 4 5 6 7 8 9 10	Q. And I think you said earlier you can look at it in like one hour chunks A. Correct. Q right? Okay. Incident to your investigation, did you ever see any video of the barge in operation before it allided with the bridge? MR. RODGERS: Before he met with his attorneys? MR. CHAPMAN: Yeah. I'm asking during
4 5 6 7 8 9 10 11 12	A. Q. A. Q. what? A. my head. Q. nautical mi A.	Yes. And that's at mile marker 9.9, right? Correct. And mile marker 9.9 is with reference to That one, I do not know off the top of Okay. But and that's measured in les, isn't it? Mile markers on the intercoastal I	3 4 5 6 7 8 9 10 11 12	Q. And I think you said earlier you can look at it in like one hour chunks A. Correct. Q right? Okay. Incident to your investigation, did you ever see any video of the barge in operation before it allided with the bridge? MR. RODGERS: Before he met with his attorneys? MR. CHAPMAN: Yeah. I'm asking during his investigation.
4 5 6 7 8 9 10 11 12 13	A. Q. A. Q. what? A. my head. Q. nautical mi A. believe are	Yes. And that's at mile marker 9.9, right? Correct. And mile marker 9.9 is with reference to That one, I do not know off the top of Okay. But and that's measured in les, isn't it? Mile markers on the intercoastal I measured in statute miles.	3 4 5 6 7 8 9 10 11 12 13	Q. And I think you said earlier you can look at it in like one hour chunks A. Correct. Q right? Okay. Incident to your investigation, did you ever see any video of the barge in operation before it allided with the bridge? MR. RODGERS: Before he met with his attorneys? MR. CHAPMAN: Yeah. I'm asking during his investigation. MR. RODGERS: Okay.
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4 5 6 7 8 9 10 11 12 13 14	A. Q. A. Q. what? A. my head. Q. nautical mi A. believe are Q. A.	Yes. And that's at mile marker 9.9, right? Correct. And mile marker 9.9 is with reference to That one, I do not know off the top of Okay. But and that's measured in les, isn't it? Mile markers on the intercoastal I measured in statute miles. Statute miles? Correct.	3 4 5 6 7 8 9 10 11 12 13 14	Q. And I think you said earlier you can look at it in like one hour chunks A. Correct. Q right? Okay. Incident to your investigation, did you ever see any video of the barge in operation before it allided with the bridge? MR. RODGERS: Before he met with his attorneys? MR. CHAPMAN: Yeah. I'm asking during his investigation. MR. RODGERS: Okay. MR. CHAPMAN: Yeah. A. Yeah, only with counsel that I had seen
4 5 6 7 8 9 10 11 12 13 14 15 16	A. Q. A. Q. what? A. my head. Q. nautical mi A. believe are Q. A. Q.	Yes. And that's at mile marker 9.9, right? Correct. And mile marker 9.9 is with reference to That one, I do not know off the top of Okay. But and that's measured in les, isn't it? Mile markers on the intercoastal I measured in statute miles. Statute miles? Correct. Okay.	3 4 5 6 7 8 9 10 11 12 13 14 15 16	Q. And I think you said earlier you can look at it in like one hour chunks A. Correct. Q right? Okay. Incident to your investigation, did you ever see any video of the barge in operation before it allided with the bridge? MR. RODGERS: Before he met with his attorneys? MR. CHAPMAN: Yeah. I'm asking during his investigation. MR. RODGERS: Okay. MR. CHAPMAN: Yeah. A. Yeah, only with counsel that I had seen the
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4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A. Q. A. Q. what? A. my head. Q. nautical mi A. believe are Q. A. Q. A. Q.	Yes. And that's at mile marker 9.9, right? Correct. And mile marker 9.9 is with reference to That one, I do not know off the top of Okay. But and that's measured in les, isn't it? Mile markers on the intercoastal I measured in statute miles. Statute miles? Correct. Okay. And then it's an assumption, but All right. So then the next page has	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q. And I think you said earlier you can look at it in like one hour chunks A. Correct. Q right? Okay. Incident to your investigation, did you ever see any video of the barge in operation before it allided with the bridge? MR. RODGERS: Before he met with his attorneys? MR. CHAPMAN: Yeah. I'm asking during his investigation. MR. RODGERS: Okay. MR. CHAPMAN: Yeah. A. Yeah, only with counsel that I had seen the MR. RODGERS: All right. No, that's what you looked at.
4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A. Q. A. Q. what? A. my head. Q. nautical mi A. believe are Q. A. Q. A. Q. got the Jor	Yes. And that's at mile marker 9.9, right? Correct. And mile marker 9.9 is with reference to That one, I do not know off the top of Okay. But and that's measured in les, isn't it? Mile markers on the intercoastal I measured in statute miles. Statute miles? Correct. Okay. And then it's an assumption, but All right. So then the next page has dan Bridge and the Norfolk Southern	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	Q. And I think you said earlier you can look at it in like one hour chunks A. Correct. Q right? Okay.
4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A. Q. A. Q. what? A. my head. Q. nautical mi A. believe are Q. A. Q. got the Jor Railway Bri	Yes. And that's at mile marker 9.9, right? Correct. And mile marker 9.9 is with reference to That one, I do not know off the top of Okay. But and that's measured in les, isn't it? Mile markers on the intercoastal I measured in statute miles. Statute miles? Correct. Okay. And then it's an assumption, but All right. So then the next page has dan Bridge and the Norfolk Southern dge, and then the last two on the	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q. And I think you said earlier you can look at it in like one hour chunks A. Correct. Q right? Okay. Incident to your investigation, did you ever see any video of the barge in operation before it allided with the bridge? MR. RODGERS: Before he met with his attorneys? MR. CHAPMAN: Yeah. I'm asking during his investigation. MR. RODGERS: Okay. MR. CHAPMAN: Yeah. A. Yeah, only with counsel that I had seen the MR. RODGERS: All right. No, that's what you looked at. MR. CHAPMAN: That's fine. MR. RODGERS: So just I'm sorry, Jim.
4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A. Q. A. Q. what? A. my head. Q. nautical mi A. believe are Q. A. Q. Q. got the Jor Railway Bri following p	Yes. And that's at mile marker 9.9, right? Correct. And mile marker 9.9 is with reference to That one, I do not know off the top of Okay. But and that's measured in les, isn't it? Mile markers on the intercoastal I measured in statute miles. Statute miles? Correct. Okay. And then it's an assumption, but All right. So then the next page has dan Bridge and the Norfolk Southern dge, and then the last two on the mage are the Gilmerton Bridge and the I-64	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q. And I think you said earlier you can look at it in like one hour chunks A. Correct. Q right? Okay.
4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. Q. A. Q. what? A. my head. Q. nautical mi A. believe are Q. A. Q. got the Jor Railway Bri following p Bridge, and	Yes. And that's at mile marker 9.9, right? Correct. And mile marker 9.9 is with reference to That one, I do not know off the top of Okay. But and that's measured in les, isn't it? Mile markers on the intercoastal I measured in statute miles. Statute miles? Correct. Okay. And then it's an assumption, but All right. So then the next page has dan Bridge and the Norfolk Southern dge, and then the last two on the lage are the Gilmerton Bridge and the I-64 the location of each bridge. The mile	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q. And I think you said earlier you can look at it in like one hour chunks A. Correct. Q right? Okay. Incident to your investigation, did you ever see any video of the barge in operation before it allided with the bridge? MR. RODGERS: Before he met with his attorneys? MR. CHAPMAN: Yeah. I'm asking during his investigation. MR. RODGERS: Okay. MR. CHAPMAN: Yeah. A. Yeah, only with counsel that I had seen the MR. RODGERS: All right. No, that's what you looked at. MR. CHAPMAN: That's fine. MR. RODGERS: So just I'm sorry, Jim. So he's clear, you didn't during your investigation, you didn't look at the video?
4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A. Q. A. Q. what? A. my head. Q. nautical mi A. believe are Q. A. Q. got the Jor Railway Bri following p Bridge, and marker loca	Yes. And that's at mile marker 9.9, right? Correct. And mile marker 9.9 is with reference to That one, I do not know off the top of Okay. But and that's measured in les, isn't it? Mile markers on the intercoastal I measured in statute miles. Statute miles? Correct. Okay. And then it's an assumption, but All right. So then the next page has dan Bridge and the Norfolk Southern dge, and then the last two on the mage are the Gilmerton Bridge and the I-64 the location of each bridge. The mile tion is stated for each, right?	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Q. And I think you said earlier you can look at it in like one hour chunks A. Correct. Q right? Okay.
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Document 72-2 PageID# 827 BRIAN MOORE

Moore - April 28, 2025 THE WITNESS: That wasn't provided before that to me. Q. Okay. If you could look on page 199 of Section 7.9K. At the very end, it has something that's called a Disclaimer. 7.9.K.9, Disclaimer? A. Yes, sir. Q. So is that a disclaimer that the this, you know, marine safety and compliance group, The Sgroup, whoever supplied this system to you included, or is this a disclaimer by Carver that is included, or is this a disclaimer by Carver that is included, or is this a disclaimer by Carver that is included in its come safety management system? A. This all came directly from Tug & Barge, TES, Tug & Barge Solutions. Q. Okay. So then the next section is 7.9p, Savingation watch assessment in Norfolk, Virginia to North Carolina/South Carolina state line data. So it looks like it covers about 340 miles of the intercoastal from mile marker zero down to mile marker 340.8; is that right? A. Yes. Q. So is this the voyage planning data Page 159 MR. RODGERS: I'm sorry could you is what the voyage, that page? MR. RODGERS: I'm sorry could you is what the voyage, that page? MR. RODGERS: I'm sorry could you is what the voyage, that page? MR. RODGERS: I'm sorry could you is what the voyage, that page? MR. RODGERS: I'm sorry could you is what the voyage, that page? MR. RODGERS: I'm sorry could you is what the voyage, that page? MR. RODGERS: I'm sorry could you is what the voyage, that page? MR. RODGERS: I'm sorry could you is what the voyage, that page? MR. RODGERS: I'm sorry could you is what the voyage, that page? MR. RODGERS: I'm sorry could you is what the voyage, that page? MR. RODGERS: I'm sorry could you is what the voyage, that page? MR. RODGERS: I'm sorry could you is what the voyage, that page? MR. RODGERS: I'm sorry could you is what the voyage, that page? MR. RODGERS: I'm sorry could you is what the voyage, that page? MR. RODGERS: I'm sorry could you is what the voyage, that page? MR. RODGERS: I'm sorry	olve			D 450	
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	-	industry, there's a lot of hazards that if you	8	, a a a a a a a a a a a a a a a a a a a	8
		look at them, that you take in your daily you		_	
	ng a sate	in your daily operations when you're providing a			l
11 the document that's referenced in 7.9, Voyage 11 navigation.	_	•			
12 Planning, as the planning data book. 12 Q. So bridges are just one of them?	?				
13 A. To the best of my knowledge it is, yes. 13 A. Correct.					
Q. Okay. And it appears to provide 14 Q. Okay.		-			
		All right. Now, if you could go to		-	
		end of that. I've already asked some questions			
	ection.	7.12 on Bridge Transits, which is the next section			
18 every bridge that could be encountered? 18 A. Yes, sir.	am 7 16	•			
	011 /.10				
20 Q. Okay. There's a lot of information 20 on Lookouts, which is Carver 000155.					
21 that's provided about bridges in this TSMS. It makes 21 Do you have that there?		-			
22 mo think it is important to the gafe energy of the 22					
22 me think it's important to the safe operation of the 22 A. Yes.	it corre			_	
23 tug. 23 Q. Under the second section there,	it says	vedattements for a moovour.		-	
	it says	A Yes	25	part of a navigation channel All anothing that a	

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	Dama 4	2	Page 464
1	Page 1 Moore - April 28, 2025	2 1	Page 164 Moore - April 28, 2025
2	Q. It's got six bullets to consider. In		Yes?
3	I'm just reading this. In determining the	3	A. Yes.
4	requirement for a lookout, the person in charge of	4	Q. My question is really simple.
5	the navigation watch must take full account of the	5	Is a bridge a danger to navigation?
6	relevant factors including, but not limited to, and	6	MR. RODGERS: Objection. He's not here
7	then there's six bullets.	7	as an expert. He's here in his capacity at
8	And I want to ask you about the fourth	8	Carver.
9	one there, which is Proximity of dangers to	9	You're asking him expert testimony, and
10	navigation.	10	you're being argumentative.
11	A. Okay.	11	MR. CHAPMAN: I'm just trying to get an
12	Q. So what is a danger to navigation?	12	answer, sir.
13	MR. RODGERS: Objection. He's not here	13	MR. RODGERS: Well, I already told him
14	as an expert witness.	14	not to answer, if it's going to be an opinion.
15	Are you asking him his understanding?	15	MR. CHAPMAN: So is are you
16	MR. CHAPMAN: Well, I'm just asking him	16	instructing
17	as the general manager of the company, what's a	17	MR. RODGERS: He's already told you he
18	danger to navigation in their line of business?	18	doesn't he told you he doesn't have an
19	MR. RODGERS: Objection.	19	answer, then you're argumentative. So he's
20	You can answer as to your understanding,	20	answered the question.
21	if you have any.	21	MR. CHAPMAN: Are you instructing the
22	A. Anything that is a risk to people,	22	witness not to answer the question?
23	property or environment.	23	MR. RODGERS: I already did, and he
24	Q. Would that include bridges?	24	already answered the question, so I think it's
25	MR. RODGERS: Objection to form.	25	moot.
25	Fac. Robolitor objection to form.	23	moot.
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1	Page 1		Page 165
1	Moore - April 28, 2025	1	Moore - April 28, 2025
2	Moore - April 28, 2025 A. It's part of their regular navigation	1 2	Moore - April 28, 2025 MR. CHAPMAN: Well, I disagree. He has
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			April 28, 2025
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1	Moore - April 28, 2025	1	Moore - April 28, 2025
2	A. Yes.	2	right?
3	Q Carver 000162.	3	A. I believe so, to the best of my
4	During the course of your investigation,	4	knowledge.
5	did you learn whether there had been any kind of	5	Q. So at the very top of page 163, it says
6	failure of steering that caused the allision?	6	Reporting Priorities in a kind of a callout box
7	A. No, not to my knowledge that there was	7	that is orange-ish in color.
8	any failure of it.	8	There's a call-out box that's orange-ish
9	Q. Had there been any problems with the	9	in color, right?
10	auto pilot system on the MACKENZIE ROSE in the months	10	It says The master will notify the
11	in 2024 preceding the allision on June 15th, 2024?	11	office as soon as practicable after a marine
12	A. There were some instances where we	12	casualty.
13	that the crews noted deficiencies in the auto pilot	13	And then The master will notify the
14	system. So dating back to, I don't know, late '23	14	nearest Coast Guard unit as soon as practicable after
15	that we started working on it and addressing it.	15	a marine casualty.
16	Then they were in they weren't	16	And it looks like it's those are two
17	consistent, so and then when we replaced the	17	obligations of the master, right?
18	system in April, the whole I believe it was April,	18	A. Okay.
19	that's when the inconsistencies started to go away,	19	O. So who was the master of the MACKENZIE
20	and we didn't have any other issues with the auto	20	ROSE on the date of the casualty, the date of the
21	pilot since then.	21	allision with the Belt Line Bridge?
22	-	22	A. The master was oh, I don't I'm
	Q. So when you said the auto pilot	23	drawing a blank of his name right now.
23	system was replaced in April of 2024?		
24	A. It started in I believe it started in	24	Q. The deceased
25	November with technicians, and then ended up in April	25	A. Yes.
		1	
	Page 167		Page 169
1	Moore - April 28, 2025	1	Moore - April 28, 2025
2	Moore - April 28, 2025 with some various techs to come aboard and to go	1 2	Moore - April 28, 2025 Q. The deceased, Captain Miller?
	Moore - April 28, 2025		Moore - April 28, 2025
2	Moore - April 28, 2025 with some various techs to come aboard and to go	2	Moore - April 28, 2025 Q. The deceased, Captain Miller?
2	Moore - April 28, 2025 with some various techs to come aboard and to go through the system to groom it up.	2 3	Moore - April 28, 2025 Q. The deceased, Captain Miller? A. Chris. Chris Miller.
2 3 4	Moore - April 28, 2025 with some various techs to come aboard and to go through the system to groom it up. Q. And there were no problems with it	2 3 4	Moore - April 28, 2025 Q. The deceased, Captain Miller? A. Chris. Chris Miller. Q. Okay.
2 3 4 5	Moore - April 28, 2025 with some various techs to come aboard and to go through the system to groom it up. Q. And there were no problems with it thereafter?	2 3 4 5	Moore - April 28, 2025 Q. The deceased, Captain Miller? A. Chris. Chris Miller. Q. Okay. A. Yes, sir.
2 3 4 5 6	Moore - April 28, 2025 with some various techs to come aboard and to go through the system to groom it up. Q. And there were no problems with it thereafter? A. No, sir.	2 3 4 5	Moore - April 28, 2025 Q. The deceased, Captain Miller? A. Chris. Chris Miller. Q. Okay. A. Yes, sir. Q. Okay. So it was his obligation to
2 3 4 5 6	Moore - April 28, 2025 with some various techs to come aboard and to go through the system to groom it up. Q. And there were no problems with it thereafter? A. No, sir. Q. Could you turn to the next section,	2 3 4 5 6 7	Moore - April 28, 2025 Q. The deceased, Captain Miller? A. Chris. Chris Miller. Q. Okay. A. Yes, sir. Q. Okay. So it was his obligation to notify the office, right?
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	Page 170		Page 172
1	Moore - April 28, 2025	1	Moore - April 28, 2025
2	Q. It says The master may designate the	2	system.
3	reporting to another person on the crew if it is not	3	Q. Just so I'm clear, you're taking the
4	practical for him/her to make the reports.	4	position that because it was only reported to you or
5	It doesn't say that the master may	5	to Mr. Baldassare that the vessel allided with the
6	designate the reporting to another person not in the	6	fendering system, that it wasn't required to report
7	crew, correct?	7	that to the Coast Guard at that instant in time?
8	A. It does not say that.	8	MR. RODGERS: Objection to form. You're
9	Q. Okay. So was the master of the	9	asking for his opinion or what he did?
10	MACKENZIE ROSE the first person to notify	10	MR. CHAPMAN: I'm asking to understand
11	Mr. Baldassare?	11	why the Coast Guard wasn't contacted
12	A. That, I don't know.	12	MR. RODGERS: Okay. Coast Guard
13	Q. It is fair to say the master never	13	MR. CHAPMAN: in the context of this
14	notified the Coast Guard of the allision with the	14	regulation and
15	bridge, correct?	15	MR. RODGERS: You don't know if the
16	MR. RODGERS: Objection. You're talking	16	Coast Guard was contacted or not because you
17	about on the day of?	17	haven't deposed everybody. So you know, if you
18	MR. CHAPMAN: On the day of.	18	want to argue with him, you're assuming a fact
19	A. Not to my knowledge.	19	not into evidence yet, as to who and when
20	Q. Okay. So below that orange-ish box, it	20	Lieutenant Palomba was either called or who she
21	looks like 46 CFR 4.03-1 regarding Marine Casualty or	21	called, which has not been established yet by
22	Incident is reprinted verbatim, right?	22	actual knowledge.
23	A. Yes, sir.	23	A. But also on here it just says Allision
24	MR. RODGERS: What is the doc the	24	of a bridge that creates a hazard to navigation, the
25	Bates number?	25	environment or safety of the vessel creates a
			-
1	Page 171 Moore - April 28, 2025	1	Page 173 Moore - April 28, 2025
2	MR. CHAPMAN: Carver 000163.	2	hazard to navigation a hazard to navigation, the
3	MR. RODGERS: 168? No?	3	equipment or the safety of the vessel or that meets
4	MR. CHAPMAN: No. 163.	4	any creditation of paragraphs (a)(3) through 8.
5	Q. And it describes what the a marine		ally creditation or paragraphs (a)(3) unough 6.
ا ع		[
6	~	5	Q. So you're reading at subnumeral iis?
6	casualty or incident is, and it talks about the need	6	Q. So you're reading at subnumeral iis? A. Yes, sir.
7	casualty or incident is, and it talks about the need to report them, correct?	6 7	Q. So you're reading at subnumeral iis? A. Yes, sir. Q. And it starts with An unintend excuse
7 8	casualty or incident is, and it talks about the need to report them, correct? A. Yes.	6 7 8	Q. So you're reading at subnumeral iis? A. Yes, sir. Q. And it starts with An unintend excuse me, An intended grounding or an intended strike of a
7 8 9	casualty or incident is, and it talks about the need to report them, correct? A. Yes. Q. So under, it looks like, paragraph No. 4	6 7 8 9	Q. So you're reading at subnumeral iis? A. Yes, sir. Q. And it starts with An unintend excuse me, An intended grounding or an intended strike of a bridge. Right?
7 8 9 10	casualty or incident is, and it talks about the need to report them, correct? A. Yes. Q. So under, it looks like, paragraph No. 4 on that page, towards the bottom, it says Any	6 7 8 9 10	Q. So you're reading at subnumeral iis? A. Yes, sir. Q. And it starts with An unintend excuse me, An intended grounding or an intended strike of a bridge. Right? Are you saying that Captain Morrissey
7 8 9 10 11	casualty or incident is, and it talks about the need to report them, correct? A. Yes. Q. So under, it looks like, paragraph No. 4 on that page, towards the bottom, it says Any incident described below (from 46 CFR 4.05-1(a).	6 7 8 9 10 11	Q. So you're reading at subnumeral iis? A. Yes, sir. Q. And it starts with An unintend excuse me, An intended grounding or an intended strike of a bridge. Right? Are you saying that Captain Morrissey intended to strike the Belt Line Bridge?
7 8 9 10 11 12	casualty or incident is, and it talks about the need to report them, correct? A. Yes. Q. So under, it looks like, paragraph No. 4 on that page, towards the bottom, it says Any incident described below (from 46 CFR 4.05-1(a). That's a mouthful.	6 7 8 9 10 11 12	Q. So you're reading at subnumeral iis? A. Yes, sir. Q. And it starts with An unintend excuse me, An intended grounding or an intended strike of a bridge. Right? Are you saying that Captain Morrissey intended to strike the Belt Line Bridge? MR. RODGERS: Objection. Argumentative.
7 8 9 10 11 12 13	casualty or incident is, and it talks about the need to report them, correct? A. Yes. Q. So under, it looks like, paragraph No. 4 on that page, towards the bottom, it says Any incident described below (from 46 CFR 4.05-1(a). That's a mouthful. But the very first one is An unintended	6 7 8 9 10 11 12 13	Q. So you're reading at subnumeral iis? A. Yes, sir. Q. And it starts with An unintend excuse me, An intended grounding or an intended strike of a bridge. Right? Are you saying that Captain Morrissey intended to strike the Belt Line Bridge? MR. RODGERS: Objection. Argumentative. He's not here as an expert.
7 8 9 10 11 12 13 14	casualty or incident is, and it talks about the need to report them, correct? A. Yes. Q. So under, it looks like, paragraph No. 4 on that page, towards the bottom, it says Any incident described below (from 46 CFR 4.05-1(a). That's a mouthful. But the very first one is An unintended grounding, or an unintended strike of a bridge,	6 7 8 9 10 11 12 13	Q. So you're reading at subnumeral iis? A. Yes, sir. Q. And it starts with An unintend excuse me, An intended grounding or an intended strike of a bridge. Right? Are you saying that Captain Morrissey intended to strike the Belt Line Bridge? MR. RODGERS: Objection. Argumentative. He's not here as an expert. MR. CHAPMAN: Well, he's the one who
7 8 9 10 11 12 13 14 15	casualty or incident is, and it talks about the need to report them, correct? A. Yes. Q. So under, it looks like, paragraph No. 4 on that page, towards the bottom, it says Any incident described below (from 46 CFR 4.05-1(a). That's a mouthful. But the very first one is An unintended grounding, or an unintended strike of a bridge, right?	6 7 8 9 10 11 12 13 14 15	Q. So you're reading at subnumeral iis? A. Yes, sir. Q. And it starts with An unintend excuse me, An intended grounding or an intended strike of a bridge. Right? Are you saying that Captain Morrissey intended to strike the Belt Line Bridge? MR. RODGERS: Objection. Argumentative. He's not here as an expert. MR. CHAPMAN: Well, he's the one who read it to me. I'm just trying to understand
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7 8 9 10 11 12 13 14 15 16 17 18 19 20	casualty or incident is, and it talks about the need to report them, correct? A. Yes. Q. So under, it looks like, paragraph No. 4 on that page, towards the bottom, it says Any incident described below (from 46 CFR 4.05-1(a). That's a mouthful. But the very first one is An unintended grounding, or an unintended strike of a bridge, right? You see that? A. Yes. Q. So this is not based on whether there was any visible damage, observable damage or like wheel damage, it's just if there is an allision, it	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q. So you're reading at subnumeral iis? A. Yes, sir. Q. And it starts with An unintend excuse me, An intended grounding or an intended strike of a bridge. Right? Are you saying that Captain Morrissey intended to strike the Belt Line Bridge? MR. RODGERS: Objection. Argumentative. He's not here as an expert. MR. CHAPMAN: Well, he's the one who read it to me. I'm just trying to understand MR. RODGERS: All right. Well, it's MR. CHAPMAN: the reasons for that. MR. RODGERS: He's not here as an expert. He's here as a fact witness. Please ask him what he knows.
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7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	casualty or incident is, and it talks about the need to report them, correct? A. Yes. Q. So under, it looks like, paragraph No. 4 on that page, towards the bottom, it says Any incident described below (from 46 CFR 4.05-1(a). That's a mouthful. But the very first one is An unintended grounding, or an unintended strike of a bridge, right? You see that? A. Yes. Q. So this is not based on whether there was any visible damage, observable damage or like wheel damage, it's just if there is an allision, it has to be reported, right? MR. RODGERS: Objection. The document	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q. So you're reading at subnumeral iis? A. Yes, sir. Q. And it starts with An unintend excuse me, An intended grounding or an intended strike of a bridge. Right? Are you saying that Captain Morrissey intended to strike the Belt Line Bridge? MR. RODGERS: Objection. Argumentative. He's not here as an expert. MR. CHAPMAN: Well, he's the one who read it to me. I'm just trying to understand MR. RODGERS: All right. Well, it's MR. CHAPMAN: the reasons for that. MR. RODGERS: He's not here as an expert. He's here as a fact witness. Please ask him what he knows. A. Right. So I was just reading this. So by reading the first section of i versus iis.
7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	casualty or incident is, and it talks about the need to report them, correct? A. Yes. Q. So under, it looks like, paragraph No. 4 on that page, towards the bottom, it says Any incident described below (from 46 CFR 4.05-1(a). That's a mouthful. But the very first one is An unintended grounding, or an unintended strike of a bridge, right? You see that? A. Yes. Q. So this is not based on whether there was any visible damage, observable damage or like wheel damage, it's just if there is an allision, it has to be reported, right? MR. RODGERS: Objection. The document speaks for itself.	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q. So you're reading at subnumeral iis? A. Yes, sir. Q. And it starts with An unintend excuse me, An intended grounding or an intended strike of a bridge. Right? Are you saying that Captain Morrissey intended to strike the Belt Line Bridge? MR. RODGERS: Objection. Argumentative. He's not here as an expert. MR. CHAPMAN: Well, he's the one who read it to me. I'm just trying to understand MR. RODGERS: All right. Well, it's MR. CHAPMAN: the reasons for that. MR. RODGERS: He's not here as an expert. He's here as a fact witness. Please ask him what he knows. A. Right. So I was just reading this. So by reading the first section of i versus iis. So it would have to be looked into
7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	casualty or incident is, and it talks about the need to report them, correct? A. Yes. Q. So under, it looks like, paragraph No. 4 on that page, towards the bottom, it says Any incident described below (from 46 CFR 4.05-1(a). That's a mouthful. But the very first one is An unintended grounding, or an unintended strike of a bridge, right? You see that? A. Yes. Q. So this is not based on whether there was any visible damage, observable damage or like wheel damage, it's just if there is an allision, it has to be reported, right? MR. RODGERS: Objection. The document	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q. So you're reading at subnumeral iis? A. Yes, sir. Q. And it starts with An unintend excuse me, An intended grounding or an intended strike of a bridge. Right? Are you saying that Captain Morrissey intended to strike the Belt Line Bridge? MR. RODGERS: Objection. Argumentative. He's not here as an expert. MR. CHAPMAN: Well, he's the one who read it to me. I'm just trying to understand MR. RODGERS: All right. Well, it's MR. CHAPMAN: the reasons for that. MR. RODGERS: He's not here as an expert. He's here as a fact witness. Please ask him what he knows. A. Right. So I was just reading this. So by reading the first section of i versus iis.

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2 Marrissey intended to strike the bridge? 3 A. No. 4 O. So your investigation informs you that 5 it was an unintended strike of the bridge? 6 A. Yes. 7 Q. And as an unintended strike of the bridge or to follow the Code of Federal Regulations to evidence that the company did not notify the Creat Guard, doesn't it? 10 mediately notify the Creat Guard, doesn't it? 11 No. ROUGSSS' Objection. There's no evidence that the company did not notify the Creat Guard. 12 the Coast Guard? 13 Quart Guard. 14 A. I didn't notify the Coast Guard. 15 Q. Did amyhody on behalf of Carver notify the theory could turn to the next page, Q. If you could turn to the next page, Q. If you could turn to the next page, Q. And was — there's a heading called Notice of Marine Cassalty — the way of the Coast Guard. 15 A. Yes. 16 No. Yes, Do You see that? 17 No. ROUGSSS' I you know. Den't guess. 18 A. I don't know. 19 Q. If you could turn to the next page, Q. And who is this directed to? Who's supposed to follow this flowchart when this happens? 19 A. Yes. 10 No. Yes. 10 No. Yes. 11 No. Yes. 12 A. Yes. 13 So in Section A, it says Immediately after the addressing the resultant matery concerns, the owner, open, master, operator, or person in Go charge shall notify the nearest sector office, marine immediation office, or Case Guard grounding or an unintended strike of (allision with) a bridge. 14 O. Did amyone, to your knowledge, on behalf of Carver or the vessel, notify any of those Coast Guard groups, so I don't know who was — 15 A. Yes. 16 Q. And my questing from the allision of the Way does in the color stakes to the color of the way does in the color of t	1					
3		Morriagov i	<u>-</u>		gongorna fo	<u>-</u>
4 June 15th, 2024? 5 it was an unintended strike of the bridge? 6 A. Yes. C. And as an unintended strike of the bridge? 9 to follow the Code of Federal Regulations to 10 immediately notify the Coset Guard, doesen't it? 10 immediately notify the Coset Guard, doesen't it? 11						
5 it was an unintended strike of the bridge? 6 A. Yes. 7 Q. And as an unintended strike of the bridge, your safety management system obligates you to follow the Code of Receival Regulations to 10 immediately notify the Coast Guard, doesn't it? 11 MR. ROUGHS: Objection. There's no exidence that the company did not notify the Coast Guard. 12 evidence that the company did not notify the Coast Guard. 13 A. I didn't notify the Coast Guard. 14 A. I didn't notify the Coast Guard. 15 Q. Did anybody on behalf of Carver notify 16 the Coast Guard? 17 MR. ROUGHS: If you know. Don't guess. 18 A. I don't know. 19 Q. If you could turn to the next page, 10 Q. If you could turn to the next page, 20 Carver 000164. 21 A. Okay. 2 Q. About two-thirds of the way down in the 23 page, it says — there's a heading called Notice of Marine Causulty — 25 A. Yes. 2 Q. 46 GRR 4.05-1. 2 Q. 46 GRR 4.05-1. 3 So in Section A, it says Immediately after the addressing the resultant cafety concerns, the charge shall notify the nearest sector office, marine in charge shall notify the nearest sector office, marine in charge shall notify the nearest sector office, marine in charge shall notify the nearest sector office, marine in charge shall notify the nearest sector office, marine in charge shall notify the nearest sector office, marine in charge shall notify the nearest sector office, marine in charge shall notify the nearest sector office, marine in charge shall notify the nearest sector office, marine in charge shall notify the nearest sector office, marine in charge shall notify the nearest sector office, marine in charge shall notify the nearest sector office, marine in charge shall notify the nearest sector office, marine in charge shall notify the nearest sector office, marine in charge shall notify the nearest sector office, marine in charge shall notify the nearest sector office, marine in charge shall notify the nearest sector office, marine in charge shall notify the nearest sector office, marine in charge shall notify the nearest sector						
6 A. Yes. Q. And as an unintended strike of the 8 hridge, your safety management system obligates you 9 to follow the Code of Federal Regulations to 10 immediately notify the Coast Guard, doesn't it? 11 MR. RODGERS: Objection. There's no 12 evidence that the company did not notify the 13 Coast Guard. 14 A. I didn't notify the Coast Guard. 15 Q. Did anybody on behalf of Carver notify 16 the Coast Guard? 17 MR. RODGERS: If you know. Don't guess. 18 A. I don't know. 19 Q. If you could turn to the next page, 20 Carver could. 21 A. Geay. 22 Q. About two-thirds of the way down in the 24 Page, it says there's a heading called Notice of 24 Marine Casualty 25 A. Yes. Page 177 1 Moore - April 28, 2025 2 Q. 46 GFR 4.05-1. 3 So in Section A, it says Immediately 4 after the addressing the resultant safety concerns, 5 the coner, agent, master, operator, or person in 6 charge shall notify the nearest sector office, marine 7 inspection office, or Coast Guard group office 8 wherever a vessel is involved in a marine casualty 9 consisting in section 1, an unintended grounding or 10 an unintended strike of (allsision with a bridge. 11 Do you see that? 12 A. Yes. 13 Q. Did anyone, to your knowledge, on behalf 14 of Carver or the vessel, notify any of those Coast 15 Guard operations immediately fart addressing 16 resultant safety concerns from the 17 MR. ROGGERS: Same objection. 18 Q. — from the allission on June 15th, 2024 19 A. I didn't notify any of those Coast 20 group, so I don't know who was 21 Q. And my question was a little broader 22 than that; if you know of anybody on behalf of Carver 23 that did that. 24 A. Not to my knowledge. 25 A. Not to my knowledge. 26 A. Not to my knowledge. 27 A. Gear and lities of the two intended strike of callesion of these identified 28 groups, so I don't know who was 29 Q. And my question was a little broader 29 A. I didn't notify any of those identified 20 groups, so I don't know who was 20 Q. And my question was a little broader 21 A. Not to my knowledge. 22 A. Not to m		-			•	
7 Q. Nod as an unintended strike of the 8 bridge, your secty management system obligates you 9 to follow the Code of Gederal Regulations to 9 A. Yep. 10 immediately notify the Coast Caurd, doesn't it? 10 Q. Okay. And it looks like it pertains to, 11 which notify the Coast Caurd, 12 evidence that the company did not notify the 13 Coast Caurd. 13 A. I didn't notify the Coast Caurd. 15 Q. Did anybody on behalf of Carver notify 16 the Coast Caurd? 16 A. I didn't know. 17 M. Yes. 18 Q. If you could turn to the next page, 20 Carver 000164. 20 A. Okay. 20 A. Okay. 20 A. Yes. 21 A. Yes. 22 A. Yes. 22 A. Yes. 23 A. Yes. 24 A. Yes. 34 This come does not say it. 25 A. Yes. 35 A. This come does not say it. 26 A. Yes. 36 A. I does not say it. 36 A. I does not say it. 37 Yes. 37 A. Yes. 38 A. I does not say it. 38 A. I does not say it. 39 A. I does not say it. 39 A. I does not say it. 39 A. I does not say it. 30 A. I does not sa			•			-1
bridge, your safety management system chligates you to immediately notify the Coset Guard. M. R. RODGESS: Objection. There's no evidence that the company did not notify the Coset Guard. A. I didn't notify the Coset Guard. A. I didn't notify the Coset Guard. M. R. RODGESS: If you know. Don't guess. M. R. RODGESS: If you know. Don't guess. M. N. R. RODGESS: If you know. Don't guess. M. N. R. RODGESS: If you know. Don't guess. M. N. R. RODGESS: If you know. Don't guess. M. N. R. RODGESS: If you know. Don't guess. M. N. Yes. M. A. Okay. O. And who is this directed to? Who's supposed to follow this flowchart when this happene? Carver 000164. A. Okay. O. About two-thirds of the way down in the page. Marine Casualty					-	
9 to follow the Code of Federal Regulations to 10 immediately notify the Coast Quard, doesn't it? 10 Q. Gay, And it looks like it pertains to, 12 Gray, Romany Gray, And it looks like it pertains to, 12 Q. Gay, And it looks like it pertains to, 13 Q. Mark, RODGERS: Glycetion. There's no 12 the barges or an allision with a fixed object or an aid to navigation, right? 14 A. Yes, sir. 15 Q. Did anybody on behalf of Carver notify 15 Q. And this is sort of a flowchart of what 16 the Coast Guard? 16 to do		~			page voico.	
10 immediately notify the Coast Guard, doesn't it? 11 PMR. RODGERS: Objection. There's no 12 evidence that the company did not notify the 13 Coast Guard. 14 A. I didn't notify the Coast Guard. 15 Q. Did anybody on behalf of Carver notify 16 the Coast Guard? 17 MR. RODGERS: If you know. Don't guess. 18 A. I don't know. 19 Q. If you could turn to the next page, 19 Q. If you could turn to the next page, 20 Carver 000164. 21 A. Okay. 22 Q. About two-thirds of the way down in the 24 Warrine Casualty 25 A. Yes. 26 Q. 46 CFR 4.05-1. 27 Q. 46 CFR 4.05-1. 28 So in Section A, it says Immediately 29 after the addressing the resultant safety concerns, 20 to charve, agent, master, operator, or person in 20 charge, shall notify the nearest sector office, marine 21 inspection office, or Coast Guard group office 28 wherever a vessel is involved in a marine casualty 29 consisting in section 1, an unintended grounding or 20 an unintended strike of (allision with) a bridge. 20 an unintended strike of (allision with) a bridge. 21 A. Yes. 22 Q. Did anyone, to your knowledge, on behalf of Carver or the vessel, notify any of those Coast 29 Groupe, so I don't know who was 20 groupe, so I don't know who was 21 Q. And uny question was a little broader 21 than that; if you know of anybody on behalf of Carver 22 than that; if you know of anybody on behalf of Carver 24 A. Not to my knowledge. 25 A. Not to my knowledge. 26 A. Not to my knowledge. 27 A. Ta don't know in the supposed to follow this is sort of a flowchart of what 28 that did that. 29 Q. About two-thirds of Carver notify 20 A. I don't know. It doesn't clearly 21 identify that. 22 Q. So it's not a very clear flowchart in 22 C. I'm sorry? 23 A. It don't know. It doesn't clearly 24 identify that. 25 A. This one does not say it. 26 Q. So a lot of these boxes are green or 27 Shades of green, but three's one kind of in the 28 microlar of the waster, operator, or person in 29 Q. Did anyone, to your knowledge, on behalf of Carver or the vessel, notify any of those Coast 29 Q.	-				Δ.	•
11 WR. RODGERS: Objection. There's no evidence that the congany did not notify the cast Guard. 12 the barges or an allision with a fixed object or an allist on with a fixed object or an allist on with a fixed object or an aid to navigation, right? 16 to do 16 to do 16 to do 17 MR. RODGERS: If you know. Don't guess. 17 A. Yes. 18 A. I don't know. 18 O right? And who is this directed to? Who's supposed to follow this flowchart when this happens? 19 O. About two-thirds of the way down in the page, it says there's a heading called Notice of 24 Marine Casualty 24 Xes. 25 A. Yes. 25 A. Yes. 25 A. This one does not say it. 26 Yes. 27 A. This one does not say it. 28 A. It does not say it. 29			_			-
12 evidence that the company did not notify the 13 Coast Guard. 13 aid to navigation, right?		Inincaracery	_		~	<u> </u>
13		evide	•			
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15						
16 the Coast Guard? 17 MR. RODGERS: If you know. Don't guess. 18 A. I don't know. 19 Q. If you could turn to the next page, 20 Carver 000164. 21 A. Okay. 22 Q. About two-thirds of the way down in the 23 page, it says — there's a heading called Notice of 24 Marine Casualty — 25 A. Yes. Page 175 1 Moore - April 28, 2025 2 Q. 46 CFR 4.05-1. 3 So in Section A, it says Immediately 4 after the addressing the resultant safety concerns, 5 the owner, agent, master, operator, or person in 6 charge shall notify the nearest sector office, marine 7 inspection office, or Coast Guard group office 8 wherever a vessel is involved in a marine casualty 9 consisting in section 1, an unintended grounding or 10 an unintended strike of (allision with) a bridge. 11 Do you see that? 12 A. Yes. 13 Q. Did anyone, to your knowledge, on behalf 14 of Carver or the vessel, notify any of those Coast 15 Guard operations immediately after addressing 16 to do — 17 A. Yes. 20 — right? 21 A. I don't know. 22 La A. Okay. 23 A. I don't know. It doesn't clearly 24 items of who's responsible for this? 25 A. This one does not say it. 26 D. I'm sorry? 27 A. I does not say it. 28 A. It does not say it. 29 Q. I'm sorry? 20 Q. I'm sorry? 20 Q. I'm sorry? 21 A. Yes. 22 Q. I'm sorry? 23 A. It does not say it. 24 A. Yes. 25 A. This one does not say it. 26 Q. So a lot of these boxes are green or 27 shades of green, but there's one kind of in the 28 middle of the — near the top, but in the color 29 consisting in section 1, an unintended grounding or 20 an unintended strike of (allision with) a bridge. 21 Do you see that? 22 A. Yes. 23 Q. So it's not a very clear flowchart when this lappens? 24 thems of who's responsible for this? 25 A. This one does not say it. 26 Q. I'm sorry? 27 A. It does not say it. 28 A. It does not say it. 29 Q. I'm sorry? 20 Q. I'm sorry? 20 Q. I'm sorry? 21 Do you see that? 22 A. Yes. 23 Q. So a lot of these boxes are green or 25 shades of green, but there's one kind of in the 26 middle of the — near the top, but in the color 27 sche						
17 MR. RODGERS: If you know. Don't guess. 18 A. I don't know. 19 Q. If you could turn to the next page, 20 Carver 000164. 21 A. Okay. 22 Q. About two-thirds of the way down in the 23 page, it says — there's a heading called Notice of 24 Marine Casualty — 25 A. Yes. Page 175 1 Moore - April 28, 2025 2 Q. 46 CFR 4.05-1. 3 So in Section A, it says Immediately 4 after the addressing the resultant safety concerns, 5 the owner, agent, master, operator, or person in 6 charge shall notify the nearest sector office, marine 7 inspection office, or Coast Guard group office 8 wherever a vessel is involved in a marine casualty 9 consisting in section 1, an unintended grounding or 10 an unintended strike of (allision with) a bridge. 11 Do you see that? 12 A. Yes. 13 Q. Did anyone, to your knowledge, on behalf 14 of Carver or the vessel, notify any of those Coast 15 Guard operations immediately after addressing 16 resultant safety concerns from the — 17 MR. RODGERS: Same objection. 18 Q. — from the allision on June 15th, 20247 19 A. I didn't notify any of those identified 20 groups, so I don't know who was — 21 Q. And my question was a little broader 22 than that; if you know of anybody on behalf of Carver 23 that did that. 24 A. Not to my knowledge. 25 A. This one does not say it. 26 Q. So it's not a very clear flowchart in 27 the terms of who's responsible for this? 28 A. This one does not say it. 29 Q. I'm sorry? 30 A. It don't know. It doesn't show is this directed to? Who's 20 Q. So it's not a very clear flowchart in 20 Q. So it's not a very clear flowchart in 21 thems of who's responsible for this? 22 Q. I'm sorry? 3 A. It don't know. 4 Q. So it's not a very clear flowchart in 29 Q. I'm sorry? 3 A. It don't know. 4 Q. So it's not a very clear flowchart in 29 Q. I'm sorry? 3 A. It don't know. 4 Q. So it's not a very clear flowchart in 29 Q. I'm sorry? 3 A. It don't know is this directed to? Who's responsible for this? 4 Q. So it's not a very clear flowchart in 29 Q. I'm sorry? 3 A. It don't know. 4 Q. So it's not a ve		-			~	And this is sold of a flowchard of what
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19 Q. If you could turn to the next page, 20 Carver 000164. 21 A. Okay. 22 Q. About two-thirds of the way down in the 23 page, it says there's a heading called Notice of 24 Marine Casualty 25 A. Yes. Page 175 Moore - April 28, 2025 Q. 46 CER 4.05-1. 3 So in Section A, it says Immediately 4 after the addressing the resultant safety concerns, 5 the owner, agent, master, operator, or person in 6 charge shall notify the nearest sector office, marine 7 inspection office, or Coast Guard group office 8 wherever a vessel is involved in a marine casualty 9 consisting in section 1, an unintended grounding or 10 an unintended strike of (allision with) a bridge. 11 Do you see that? 12 A. Yes. 13 Q. Did anyone, to your knowledge, on behalf 14 of Carver or the vessel, notify any of those Coast 15 Guard operations immediately after addressing 16 resultant safety concerns from the 17 MR. RODGERS: Same objection. 18 Q from the allision on June 15th, 2024? 19 A. I didn't notify any of these identified 20 groups, so I don't know who was 21 Q. And my question was a little broader 22 than that; if you know of anybody on behalf of Carver 24 A. Not to my knowledge. 29 And is a near miss report a 9.2 report? 20 And is a near miss report a 9.2 report? 21 A. I didh that. 22 a. I don't know. It doesn't clearly 22 identify that. 23 Q. So it's not a very clear flowchart in 24 terms of who's responsible for this? 24 the did that. 25 A. This one does not say it. 26 Page 177 27 Moore - April 28, 2025 28 Q. I'm sorry? 29 Q. I'm sorry? 29 A. It does not say it. 29 Q. So alot of these boxes are green or 29 Shades of green, but there's one kind of in the 29 middle of the near the top, but in the color 29 scheme, looks like it's sort of yellowish 30 Report? 31 Do you see that? 32 A. Yes. 33 Q. Bo what is an SMF? 34 A. Yes. 35 A. To do not know who that SMF is. 36 Q. Gkay. And at the very bottom in red, it 37 Shades of green, but there's incident reports. 38 A. Yes. 39 Q. So what is an SMF? 30 Q. So what is an SMF? 31 A. T		7.	•			
20 Carver 000164. 21 A. Okay. 22 Q. About two-thirds of the way down in the 23 page, it says — there's a heading called Notice of 24 Marine Casualty — 25 A. Yes. Page 175 1 Moore - April 28, 2025 2 Q. 46 CFR 4.05-1. 3 So in Section A, it says Immediately 4 after the addressing the resultant safety concerns, 5 the owner, agent, master, operator, or person in 6 charge shall notify the nearest sector office, marine 6 wherever a vessel is involved in a marine casualty 9 consisting in section 1, an unintended grounding or an unintended strike of (allision with) a bridge. 10 D you see that? 11 Do you see that? 12 A. Yes. 13 Q. Did anyone, to your knowledge, on behalf of Carver or the vessel, notify any of those Coast 16 Gard operations immediately after addressing 15 Guard operations immediately after addressing 16 groups, so I don't know who was — Q. And my question was a little broader that that; if you know of anybody on behalf of Carver or the vessel, notify any of these identified 20 groups, so I don't know who was — Q. And my question was a little broader that that if you know of anybody on behalf of Carver or that that if you know of anybody on behalf of Carver or the vessel in that; if you know of anybody on behalf of Carver or the vessel in that; if you know of anybody on behalf of Carver or the vessel in that; if you know of anybody on behalf of Carver or the vessel in that; if you know of anybody on behalf of Carver or the vessel in that; if you know of anybody on behalf of Carver or the vessel in that; if you know of anybody on behalf of Carver or the vessel in that; if you know of anybody on behalf of Carver or the vessel in that; if you know of anybody on behalf of Carver or the vessel in that; if you know of anybody on behalf of Carver or the vessel in that; if you know of anybody on behalf of Carver or the vessel in that; if you know of anybody on behalf of Carver or the vessel in that; if you know of anybody on behalf of Carver or the vessel in that; if you know of anybody on behalf of Carver or th					Q.	
21 A. Okay. 22 Q. About two-thirds of the way down in the 23 page, it says there's a heading called Notice of 24 Marine Casualty 25 A. Yes. Page 175 A. Yes. Page 175 Moore - April 28, 2025 Q. 46 CFR 4.05-1. 3 So in Section A, it says Immediately 4 after the addressing the resultant safety concerns, 5 the owner, agent, master, operator, or person in 6 charge shall notify the nearest sector office, marine inspection office, or Coast Guard group office 8 wherever a vessel is involved in a marine casualty 9 consisting in section 1, an unintended grounding or an unintended strike of (allision with) a bridge. 10 Do you see that? 11 Do you see that? 12 A. Yes. 13 Q. Did anyone, to your knowledge, on behalf of Carver or the vessel, notify any of those Coast 14 A. I do not know what SMF is. 15 Quard operations immediately after addressing 16 resultant safety concerns from the 17 MR. RODCERS: Same objection. 18 Q from the allision on June 15th, 2024? 19 A. I didn't notify any of these identified groups, so I don't know who was 21 Q. And my question was a little broader 22 that that; if you know of anybody on behalf of Carver 23 that did that. 22 A. Not to my knowledge. 23 A. I don't know. It doesn't clearly 24 identify that. 24 C. So is 's not a very clear flowchart in 24 terms of who's responsible for this? 25 A. This one does not say it. Moore - April 28, 2025 2 Q. I'm sorry? 1 Moore - April 28, 2025 2 Q. I'm sorry? 1 Q. So a lot of these boxes are green or shades of green, but there's one kind of in the middle of the near the top, but in the color scheme, looks like it's sort of yellowish 7 to shade of green, but there's one kind of in the middle of the near the top, but in the color scheme, looks like it's sort of yellowish 8 A. Yes. 13 Q. Do what is an SMF? 14 A. I do not know what SMF is. 15 Q. Okay. And at the very bottom in red, it says Fill out SMF 9.5 incident reports. 16 There's incident reports and there's incident I'm sorry, there's near miss report and ther		~			arropogad to	
Q. About two-thirds of the way down in the page, it says there's a heading called Notice of A. Yes. Page 175 A. Yes. Page 175 Noore - April 28, 2025 Q. 46 CFR 4.05-1. So in Section A, it says Immediately after the addressing the resultant safety concerns, the owner, agent, master, operator, or person in charge shall notify the nearest sector office, marine inspection office, or Coast Guard group office wherever a vessel is involved in a marine casualty consisting in section 1, an unintended grounding or an unintended strike of (allision with) a bridge. Do you see that? A. Yes. Q. Did anyone, to your knowledge, on behalf of Carver or the vessel, notify any of those Coast Guard operations immediately after addressing resultant safety concerns from the R. RODGERS: Same objection. Q from the allision on June 15th, 2024? A. I didn't notify any of these identified groups, so I don't know who was Q. And my question was a little broader that did that. A. Not to my knowledge. 22 identify that. 23 Q. So it's not a very clear flowchart in terms of who's responsible for this? A. This one does not say it. Page 177 Moore - April 28, 2025 Q. I'm sorry? A. It does not say it. Noore - April 28, 2025 Q. I'm sorry? A. It does not say it. A. It does not say it. A. Te does not say it. Q. So a lot of these boxes are green or scheme, looks like it's sort of yellowish 8 A. Yes. Q that says file SMF 9.2, Near Miss Report? Do you see that? A. I do not know what SMF is. Q. Okay. And at the very bottom in red, it says Fill out SMF 9.5 incident Report, right? A. There are two different from an SMF 9.2? A. There are two different reports. There's incident reports and there's incident I'm sorry, there's near miss reports and then there's incident reports. There's near miss reports and then there's incident reports. There's near miss reports and then there's incident reports. There's near miss reports and then there's incident reports.						
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24 Marine Casualty 25 A. Yes. Page 175 1 Moore - April 28, 2025 2 Q. 46 CFR 4.05-1. 3 So in Section A, it says Immediately 4 after the addressing the resultant safety concerns, 5 the owner, agent, master, operator, or person in 6 charge shall notify the nearest sector office, marine 7 inspection office, or Coast Guard group office 8 wherever a vessel is involved in a marine casualty 9 consisting in section 1, an unintended grounding or an unintended strike of (allision with) a bridge. 10 Do you see that? 11 Do you see that? 12 A. Yes. 13 Q. Did anyone, to your knowledge, on behalf 14 of Carver or the vessel, notify any of those Coast 15 Guard operations immediately after addressing 16 resultant safety concerns from the 17 MR. RODGERS: Same objection. 18 Q from the allision on June 15th, 2024? 19 A. I didn't notify any of these identified 20 groups, so I don't know who was 21 Q. And my question was a little broader 22 than that; if you know of anybody on behalf of Carver 23 that did that. 24 A. Not to my knowledge. 24 Letms of who's responsible for this? A. This one does not say it. Moore - April 28, 2025 2 Q. I'm sorry? A. It does not say it. 4 Q. So a lot of these boxes are green or 5 shades of green, but there's one kind of in the middle of the near the top, but in the color 7 scheme, looks like it's sort of yellowish 8 A. Yes. 9 Q that says file SMF 9.2, Near Miss 10 Do you see that? 11 Do you see that? 12 A. Yes. 12 A. Yes. 13 Q. So what is an SMF? 14 A. I do not know what SMF is. 15 Q. Okay. And at the very bottom in red, it 16 says Fill out SMF 9.5 Incident Report, right? 17 A. Yes. 9 Q. Is an SMF 9.5 different from an SMF 9.2? 18 A. There is incident reports and there's incident I'm 19 Sorry, there's near miss report a 9.2 report? 20 And is a near miss report a 9.2 report? 21 A. Yes.		~			-	
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Page 175 1 Moore - April 28, 2025 2 Q. 46 CFR 4.05-1. 3 So in Section A, it says Immediately 4 after the addressing the resultant safety concerns, 5 the owner, agent, master, operator, or person in 6 charge shall notify the nearest sector office, marine 7 inspection office, or Coast Guard group office 8 wherever a vessel is involved in a marine casualty 9 consisting in section 1, an unintended grounding or 10 an unintended strike of (allision with) a bridge. 11 Do you see that? 12 A. Yes. 13 Q. Did anyone, to your knowledge, on behalf 14 of Carver or the vessel, notify any of those Coast 15 Guard operations immediately after addressing 16 resultant safety concerns from the 17 MR. RODGERS: Same objection. 18 Q from the allision on June 15th, 2024? 19 A. I didn't notify any of these identified 20 groups, so I don't know who was 21 Q. And my question was a little broader 22 than that; if you know of anybody on behalf of Carver 23 that did that. 24 A. Not to my knowledge. Page 177 Moore - April 28, 2025 2 Q. I'm sorry? 3 A. It does not say it. 4 Q. So a lot of these boxes are green or 5 shades of green, but there's one kind of in the middle of the near the top, but in the color scheme, looks like it's sort of yellowish 8 A. Yes. 9 Q that says file SMF 9.2, Near Miss 10 Report? 11 Do you see that? 12 A. Yes. 12 A. Yes. 13 Q. So what is an SMF? 14 A. I do not know what SMF is. 9 Q. Okay. And at the very bottom in red, it says Fill out SMF 9.5 Incident Report, right? 15 A. Yes. 16 Says Fill out SMF 9.5 different from an SMF 9.2? 17 A. There are two different reports. 18 Page 177 19 A. There are two different reports and then there's incident reports. 19 A. There are two different reports and then there's incident reports. 10 Q. And is a near miss report a 9.2 report? 20 A. Yes. 21 A. Yes. 22 A. Yes. 23 A. A. There are two different reports and then there's incident reports. 24 A. Yes.			•			-
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12 A. Yes. 13 Q. Did anyone, to your knowledge, on behalf 14 of Carver or the vessel, notify any of those Coast 15 Guard operations immediately after addressing 16 resultant safety concerns from the 17 MR. RODGERS: Same objection. 18 Q from the allision on June 15th, 2024? 19 A. I didn't notify any of these identified 20 groups, so I don't know who was 21 Q. And my question was a little broader 22 than that; if you know of anybody on behalf of Carver 23 that did that. 24 A. Not to my knowledge. 12 A. Yes. 13 Q. So what is an SMF? 14 A. I do not know what SMF is. Q. Okay. And at the very bottom in red, it says Fill out SMF 9.5 Incident Report, right? A. Yes. 16 resultant safety concerns from the 16 says Fill out SMF 9.5 Incident Report, right? A. Yes. 18 Q. Is an SMF 9.5 different from an SMF 9.2? A. There are two different reports. 20 There's incident reports and there's incident I'm sorry, there's near miss reports and then there's incident reports. 21 sorry, there's near miss reports and then there's incident reports. 22 incident reports. 23 Q. And is a near miss report a 9.2 report? 24 A. Yes.		an unintend			Report?	De como con the to
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19 A. I didn't notify any of these identified 20 groups, so I don't know who was 21 Q. And my question was a little broader 22 than that; if you know of anybody on behalf of Carver 23 that did that. 24 A. Not to my knowledge. 29 A. There are two different reports. 20 There's incident reports and there's incident I'm 21 sorry, there's near miss reports and then there's 22 incident reports. 23 Q. And is a near miss report a 9.2 report? 24 A. Yes.		^	-			
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24 A. Not to my knowledge. 24 A. Yes.	22					
	0.0		at.	23	0.	And is a near miss report a 9.2 report?
25 Q. Okay. Were there any resultant safety 25 Q. And an incident report is a 9.5 report?				٠		
	24	A.	Not to my knowledge.		A.	

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					April 28, 2025
		Page 178			Page 180
1		Moore - April 28, 2025	1		Moore - April 28, 2025
2	A.	Correct.	2	Q.	am I correct that this is a some
3	Q.	And we saw the 9.5 report, which is	3		wchart or some I don't know whether
4		xhibit 3, when Captain Morrissey well,	4		chart, but I don't know what you would
5		MACKENZIE ROSE hit that pier in	5	•	t it pertains to some kind of
6	Charleston -		6		al problem, like an oil spill?
7	Α.	Right.	7	Α.	Correct.
8	Q.	correct, 9.5?	8	Q.	And then it's only in play if it's an
9		And I've asked you a bunch of questions,	9	011 Sp111 O1	r some kind of discharge?
10		re's a 9.5 report for the allision with	10		I believe so.
11 12		ne Bridge, and your answer, my n, is I don't know.	11 12	Q.	I want to ask, at the very lower
13	A.	I would have to reference it.	13		corner, the box in the lowest right-hand age 167, it references a DP.
14	Q.	I'm sorry?	14	corner on pa	The DP should be on scene to gather
15	Q. A.	I would have to reference it.	15	gtatomontg	coordinate communications, take
16	Q.	Yeah. Okay.	16	•	o and compile data.
17	Q.	I'll tell you, we haven't received one,	17	priocos/ video	What's a DP?
18	okav? That	's why I'm asking.	18	Α.	I would have to reference it, but I
19	A.	Okay.	19		s designated person.
20	0.	Do you know if there is a 9.2 near miss	20	Q.	Sometimes referred to as a designated
21	~	the allision with the bridge on June 15th,	21	person ashor	9
22	2024?		22		MR. RODGERS: Objection.
23	Α.	It's another one that I would have to go	23	٥.	Or do you know?
24	and referen	•	24	Α.	No, I don't know.
25	Q.	But those would be the only two types of	25	٥.	So who in Carver Carver Marine Towing
		Davis 470			Pa ::: 404
1		Page 179 Moore - April 28, 2025	1		Page 181 Moore - April 28, 2025
2	reports tha	t the company would make pursuant to this	2	is the design	quated person?
3		gement system; is that right?	3	Α.	That would be me.
4	A.	Correct.	4	Q.	You?
5	Q.	Okay. In very small print near the	5	A.	Yes, sir. That correction. I'm a
6	bottom of the	his flowchart, over in kind of the	6	designated n	person ashore.
7	right-hand	corner, it says See injury flowchart on	7	Q.	You're the DPA?
8	page 7.		8	A.	Yeah.
9	A.	Okay.	9	Q.	So in this circumstance, who is the
10	Q.	And if you turn the page, there's like	10	is there son	mebody else that's a designated person
11	two more flo	owcharts, right?	11	besides you?	?
12		Do you know whether so there's three	12	A.	We'd have to reference to see who it is,
13	more flowch	arts on the next three pages.	13	but usually	it's the captains are the designated
14		Are any of them the injury flowchart	14	persons, bed	cause they're the always there at the
15	that's refe	renced in referenced on page 166?	15	incidents.	
16	A.	None that I could see.	16	Q.	Okay.
17	Q.	Would those be for personal injuries or	17		MR. CHAPMAN: We have to take a break,
18		mage, or do you know?	18		se the videographer has informed us there's
19	Α.	They would be for personal injuries,	19	only a	a couple of minutes left on our tape.
20	medical-rela		20		THE WITNESS: Okay.
21	Q.	Not property damage?	21	, .	MR. CHAPMAN: So we will take a short
22	Α.	I not to my knowledge, no.	22	break.	
23	Q.	All right. So if you turn to the next	23		THE VIDEOGRAPHER: We are going off the
24	page, which		24	record	d. The time is 3:16 p.m.
25	A.	Okay.	25		(There was a recess taken.)

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			April 28, 2025
	Page 182		Page 184
1	Moore - April 28, 2025	1	Moore - April 28, 2025
2	THE VIDEOGRAPHER: Beginning Media No.	2	000169, it looks like at the top it says it's a
3	4. We are back on the record. The time is 3:24	3	CG-2692 flowchart
4	p.m.	4	A. Yes, sir.
5	BY MR. CHAPMAN:	5	Q right?
6	Q. Mr. Moore, the next page in this exhibit	6	What is a CG-2692?
7	number Carver 000168 has another flowchart.	7	A. It stands for a Coast Guard 2692
8	A. Yes, sir.	8	reportable incident form.
9	Q. Does this also pertain to chemical	9	Q. And this is the steps you're supposed to
10	releases or oil spills or is this something	10	follow to fill it out or the circumstances under
11	different?	11	which you have to submit one?
12	A. That one, I could not tell you clearly.	12	A. I would have to look into it, but I
13	Q. In the red box in the middle near the	13	haven't referenced this one in quite a while.
14	top, it says Designated person assumes position as	14	Q. Well, the very top color block, which is
15	emergency response coordinator for life of incident.	15	sort of blue-green, says that you have to submit one
16	Would you be the designated person?	16	for an unintended grounding or an unintended strike
17	A. I think there's needs to be clarity	17	of (allision with) a bridge, right?
18	of designated person ashore versus designated person.	18	A. It does say that, yes.
19	Q. Is there some other place in the SMS	19	Q. And we're going to get to the one that
20	where it defines that or describes that so that we	20	you submitted, but because I know there is one.
21	would know which one is being referred to here?	21	We were provided a copy.
22	A. I don't know off the top of my head. I	22	At the very end of this page, it says
23	would have to look into it.	23	Drug and Closing Testing.
24	Q. You said earlier that you were the	24	And just confirming, there was no drug
25	designated person for maybe certain things. I'm not	25	and alcohol testing done on any member of the crew as
	Page 183		Page 185
1	Moore - April 28, 2025	1	Moore - April 28, 2025
2	sure.	2	a result of this allision with the Norfolk and
3	Is that is there some document that	3	Portsmouth Belt Line Bridge during the time allowed
4	says Brian Moore is the designated person for A, B,	4	by the Coast Guard, correct?
5	C, D, E or something along those lines?	5	A. I would have to refer to Lenny on that
6	A. There's a designated person ashore	6	one, what was called in; and I don't know off the top
7	<pre>g. Of the SMS?</pre>	7	of my head.
٥	U. ULLIE SMS?		O At the second of good Continue
۱ ۵		8	Q. At the very end, it says See Section 6.
9	A. Correct.	9	Do you know what Section 6 is that is
10	A. Correct and that would reference anything on	9	Do you know what Section 6 is that is being referred to?
10 11	A. Correct. and that would reference anything on it. I have to look at it.	9 10 11	Do you know what Section 6 is that is being referred to? A. I do not.
10 11 12	A. Correct. and that would reference anything on it. I have to look at it. Q. And would it actually spell out who that	9 10 11 12	Do you know what Section 6 is that is being referred to? A. I do not. Q. If you could turn to the next page,
10 11 12 13	A. Correct. and that would reference anything on it. I have to look at it. Q. And would it actually spell out who that person is?	9 10 11 12 13	Do you know what Section 6 is that is being referred to? A. I do not. Q. If you could turn to the next page, Carver 000886. This is the first of four pages that
10 11 12 13 14	A. Correct. and that would reference anything on it. I have to look at it. Q. And would it actually spell out who that person is? A. Yes.	9 10 11 12 13 14	Do you know what Section 6 is that is being referred to? A. I do not. Q. If you could turn to the next page, Carver 000886. This is the first of four pages that are somehow related to the health and safety plan
10 11 12 13 14 15	A. Correct. and that would reference anything on it. I have to look at it. Q. And would it actually spell out who that person is? A. Yes. Q. Do you know when this SMS was adopted by	9 10 11 12 13 14 15	Do you know what Section 6 is that is being referred to? A. I do not. Q. If you could turn to the next page, Carver 000886. This is the first of four pages that are somehow related to the health and safety plan within the safety management system, right?
10 11 12 13 14 15 16	A. Correct. and that would reference anything on it. I have to look at it. Q. And would it actually spell out who that person is? A. Yes. Q. Do you know when this SMS was adopted by Carver?	9 10 11 12 13 14 15 16	Do you know what Section 6 is that is being referred to? A. I do not. Q. If you could turn to the next page, Carver 000886. This is the first of four pages that are somehow related to the health and safety plan within the safety management system, right? A. Yes, sir.
10 11 12 13 14 15 16 17	A. Correct. and that would reference anything on it. I have to look at it. Q. And would it actually spell out who that person is? A. Yes. Q. Do you know when this SMS was adopted by Carver? A. Before my hiring. I don't know.	9 10 11 12 13 14 15 16 17	Do you know what Section 6 is that is being referred to? A. I do not. Q. If you could turn to the next page, Carver 000886. This is the first of four pages that are somehow related to the health and safety plan within the safety management system, right? A. Yes, sir. Q. Under No. 6 on the left-hand column, it
10 11 12 13 14 15 16 17	A. Correct. and that would reference anything on it. I have to look at it. Q. And would it actually spell out who that person is? A. Yes. Q. Do you know when this SMS was adopted by Carver? A. Before my hiring. I don't know. Q. Just looking at all this, you know,	9 10 11 12 13 14 15 16 17 18	Do you know what Section 6 is that is being referred to? A. I do not. Q. If you could turn to the next page, Carver 000886. This is the first of four pages that are somehow related to the health and safety plan within the safety management system, right? A. Yes, sir. Q. Under No. 6 on the left-hand column, it refers to a section of the Code of Federal
10 11 12 13 14 15 16 17 18 19	A. Correct. and that would reference anything on it. I have to look at it. Q. And would it actually spell out who that person is? A. Yes. Q. Do you know when this SMS was adopted by Carver? A. Before my hiring. I don't know. Q. Just looking at all this, you know, revision date, every one of these pages I think says	9 10 11 12 13 14 15 16 17 18	Do you know what Section 6 is that is being referred to? A. I do not. Q. If you could turn to the next page, Carver 000886. This is the first of four pages that are somehow related to the health and safety plan within the safety management system, right? A. Yes, sir. Q. Under No. 6 on the left-hand column, it refers to a section of the Code of Federal Regulations, and then it says there's a requirement.
10 11 12 13 14 15 16 17 18 19 20	A. Correct. and that would reference anything on it. I have to look at it. Q. And would it actually spell out who that person is? A. Yes. Q. Do you know when this SMS was adopted by Carver? A. Before my hiring. I don't know. Q. Just looking at all this, you know, revision date, every one of these pages I think says July 1, 2021.	9 10 11 12 13 14 15 16 17 18 19 20	Do you know what Section 6 is that is being referred to? A. I do not. Q. If you could turn to the next page, Carver 000886. This is the first of four pages that are somehow related to the health and safety plan within the safety management system, right? A. Yes, sir. Q. Under No. 6 on the left-hand column, it refers to a section of the Code of Federal Regulations, and then it says there's a requirement. And it says that All machinery and
10 11 12 13 14 15 16 17 18 19 20 21	A. Correct. and that would reference anything on it. I have to look at it. Q. And would it actually spell out who that person is? A. Yes. Q. Do you know when this SMS was adopted by Carver? A. Before my hiring. I don't know. Q. Just looking at all this, you know, revision date, every one of these pages I think says July 1, 2021. Is that when it was first adopted	9 10 11 12 13 14 15 16 17 18 19 20 21	Do you know what Section 6 is that is being referred to? A. I do not. Q. If you could turn to the next page, Carver 000886. This is the first of four pages that are somehow related to the health and safety plan within the safety management system, right? A. Yes, sir. Q. Under No. 6 on the left-hand column, it refers to a section of the Code of Federal Regulations, and then it says there's a requirement. And it says that All machinery and equipment that is not in proper working order,
10 11 12 13 14 15 16 17 18 19 20 21 22	A. Correct. and that would reference anything on it. I have to look at it. Q. And would it actually spell out who that person is? A. Yes. Q. Do you know when this SMS was adopted by Carver? A. Before my hiring. I don't know. Q. Just looking at all this, you know, revision date, every one of these pages I think says July 1, 2021. Is that when it was first adopted A. I	9 10 11 12 13 14 15 16 17 18 19 20 21 22	Do you know what Section 6 is that is being referred to? A. I do not. Q. If you could turn to the next page, Carver 000886. This is the first of four pages that are somehow related to the health and safety plan within the safety management system, right? A. Yes, sir. Q. Under No. 6 on the left-hand column, it refers to a section of the Code of Federal Regulations, and then it says there's a requirement. And it says that All machinery and equipment that is not in proper working order, (including missing or malfunctioning guards or safety
10 11 12 13 14 15 16 17 18 19 20 21	A. Correct. and that would reference anything on it. I have to look at it. Q. And would it actually spell out who that person is? A. Yes. Q. Do you know when this SMS was adopted by Carver? A. Before my hiring. I don't know. Q. Just looking at all this, you know, revision date, every one of these pages I think says July 1, 2021. Is that when it was first adopted A. I Q do you know?	9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Do you know what Section 6 is that is being referred to? A. I do not. Q. If you could turn to the next page, Carver 000886. This is the first of four pages that are somehow related to the health and safety plan within the safety management system, right? A. Yes, sir. Q. Under No. 6 on the left-hand column, it refers to a section of the Code of Federal Regulations, and then it says there's a requirement. And it says that All machinery and equipment that is not in proper working order, (including missing or malfunctioning guards or safety devices), must be removed, made safe through marking,
10 11 12 13 14 15 16 17 18 19 20 21 22	A. Correct. and that would reference anything on it. I have to look at it. Q. And would it actually spell out who that person is? A. Yes. Q. Do you know when this SMS was adopted by Carver? A. Before my hiring. I don't know. Q. Just looking at all this, you know, revision date, every one of these pages I think says July 1, 2021. Is that when it was first adopted A. I	9 10 11 12 13 14 15 16 17 18 19 20 21 22	Do you know what Section 6 is that is being referred to? A. I do not. Q. If you could turn to the next page, Carver 000886. This is the first of four pages that are somehow related to the health and safety plan within the safety management system, right? A. Yes, sir. Q. Under No. 6 on the left-hand column, it refers to a section of the Code of Federal Regulations, and then it says there's a requirement. And it says that All machinery and equipment that is not in proper working order, (including missing or malfunctioning guards or safety

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1	Page 186 Moore - April 28, 2025	1	Moore - April 28, 2025
2	like I assume that it relates to whatever's on the	2	ROSE, marked for identification, as of this
3	vessel, but is there any definition of equipment that	3	date.)
4		4	
5	excludes navigational equipment or steering	5	
_	equipment?	-	numbered Carver 000050, titled Tug MACKENZIE ROSE
6	A. Not to my knowledge. We would have to	6	Crew Matrix, on June 15, 2024.
7	look into that further.	7	To your knowledge, are these the five
8	Q. So if there was something that was not	8	individuals that were assigned to the crew at the
9	in proper working order in the nature of the steering	9	time of the allision with the Norfolk and Portsmouth
10	equipment or the navigation equipment, there would be	10	Belt Line Bridge?
11	a requirement to either remove it, make it safe	11	A. Yes, sir.
12	through marking, tagging or covering or otherwise	12	Q. Do you know what the reference is to the
13	making it unusable?	13	document number?
14	MR. RODGERS: Objection. It's citing a	14	A. The reference number is an individual
15	CFR statute, and he's not here to opine on the	15	mariner's number. The document number, I believe, is
16	CFR statute or section. And you're just reading	16	just the printed edition of the MM merchant
17	from this, so the document speaks for itself.	17	mariner credential.
18	A. I would have I would have to look	18	Q. So the reference number is the actual
19	into the health and safety within the TSMS.	19	number they were assigned on their merchant mariner
20	Q. If you turn over to page 3 of 4 of this	20	document?
21	document, which is Carver 000888, about the middle of	21	A. The reference number stays with you.
22	that page, you see reference line a No. 31?	22	Yes.
23	A. Yes, sir.	23	Q. Okay. And the document number is just
24	Q. And the requirement is Procedures for	24	like a form number?
25	reporting unsafe conditions?	25	A. It is just I don't know. The Coast
	Page 187		Page 189
1	Page 187 Moore - April 28, 2025	1	Page 189 Moore - April 28, 2025
1 2	Moore - April 28, 2025 A little further over, there's a	1 2	
	Moore - April 28, 2025		Moore - April 28, 2025
2	Moore - April 28, 2025 A little further over, there's a	2	Moore - April 28, 2025 Guard would have to answer that one, but I believe
2	Moore - April 28, 2025 A little further over, there's a reference to it says 2.3 and then S/6.11.	2	Moore - April 28, 2025 Guard would have to answer that one, but I believe it's just the printed document version of that one.
2 3 4	Moore - April 28, 2025 A little further over, there's a reference to it says 2.3 and then S/6.11. Do you know what those are references	2 3 4	Moore - April 28, 2025 Guard would have to answer that one, but I believe it's just the printed document version of that one. Q. Okay.
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Moore - April 28, 2025 A little further over, there's a reference to it says 2.3 and then S/6.11. Do you know what those are references to? A. Not off the top of my head, but something in the TSMS/HSP. Q. Okay. Something in the safety management system A. Right. Q like another section? A. Yes, sir. Q. Okay. And then likewise, on the last page, the very last numbered line, it says Carver 000889, says 43. The requirement is All training required in this section must be documented in owner or managing operator's records. And then there's a looks like a reference to SMF 2.3 and S/Helm. Do you know what those are? A. Helm, I do. I don't know what SMF stands for. I would have to look into that one. Q. All right. MR. CHAPMAN: Would you mark that as	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Guard would have to answer that one, but I believe it's just the printed document version of that one. Q. Okay. A. But the reference number is how you would look up a mariner. Q. All right. So to your knowledge, do you know when Captain Miller was hired? A. Not off the top of my head. Q. What about the mate, James Morrissey? A. Also not off the top of my head. Q. The deckhand, Sharif Porter? A. Not off the top of my head. Q. The deckhand, Jarkeis I don't know if I'm pronouncing that right, but Jarkeis Morrissey? A. I nope, not off the top of my head, either. Q. And the engineer, Jason McGrath? A. Same. I'd have to look it up. MR. CHAPMAN: Would you mark that as 6, please. (Exhibit 6, Daily Logs, June 12 - 16, 2024, marked for identification, as of this

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			April 28, 2025
1	Page 190 Moore - April 28, 2025	1	Page 192 Moore - April 28, 2025
2	believe are logs covering four days of the MACKENZIE	2	Q. Okay. Down at the bottom, it says Crew
3	ROSE, beginning June 12th, 2024 through June 16th,	3	on board, and there's six names, right?
4	2024. Maybe five days.	4	A. Yes.
5	Yeah, five days.	5	Q. Miller is the master, and Morrissey is
6	A. Yes.	6	technically also a master, but he's the mate, right?
7	Q. Which are Carver 000051 through 59.	7	A. Correct.
8	Do you have those?	8	Q. So and who fills out this form?
9	A. I do.	9	A. The officer of the watch, whoever gets
10	Q. These look like they were printed out	10	to it.
11	from your Helm system?	11	Q. Is this the form that, I don't know,
12	A. Correct.	12	comes in weekly
13	Q. So the very first entries on June 12th	13	A. This is
14	say shipyard-manned.	14	Q to the company?
15	And then they drop down to it looks	15	A. This no, this is daily.
16	like, 01 a.m. Standby for repairs, Baltimore,	16	Q. Daily.
17	Maryland. Correct?	17	A. So
18	A. Yes, sir.	18	Q. Okay. All right.
19	Q. Do you know what repairs the vessel was	19	We already talked about that there
20	undergoing in Baltimore?	20	there isn't anybody that reviews it unless there's
21	A. I do. We had some time in between jobs,	21	like you didn't submit it and there's a flag or
22	so we reached out to General Ship in Baltimore to	22	something to
23	replace some fendering that had fallen off at sea,	23	A. Correct.
24	and I believe it was on the port or starboard side,	24	Q. Right? Okay.
25	like midship.	25	Is there any reason you couldn't review
	Page 191		Page 193
1	Moore - April 28, 2025	1	Moore - April 28, 2025
2	Q. When you say fendering, you mean like	2	it
3	the tire or whatever rubber setup you've got?	3	
4		"	A. Yeah, absolutely. Anybody can log in at
1	A. Correct. Yeah, the rubber set it was	4	A. Yeah, absolutely. Anybody can log in at any time.
5	either a tire or a hard defender, but it was the		
6	either a tire or a hard defender, but it was the suspended rubber fendering.	4 5 6	any time. Q. There's no like approval process or anything, though?
1	either a tire or a hard defender, but it was the suspended rubber fendering. Q. Then it looks like it there was some	4 5 6 7	any time. Q. There's no like approval process or anything, though? A. Not for these, no.
6 7 8	either a tire or a hard defender, but it was the suspended rubber fendering. Q. Then it looks like it there was some crew changes that took place that day, correct?	4 5 6 7 8	any time. Q. There's no like approval process or anything, though? A. Not for these, no. Q. If it's not submitted on the day that
6 7 8 9	either a tire or a hard defender, but it was the suspended rubber fendering. Q. Then it looks like it there was some crew changes that took place that day, correct? A. I believe so.	4 5 6 7 8 9	any time. Q. There's no like approval process or anything, though? A. Not for these, no. Q. If it's not submitted on the day that it's due, is there a way to go into the system and
6 7 8 9	either a tire or a hard defender, but it was the suspended rubber fendering. Q. Then it looks like it there was some crew changes that took place that day, correct? A. I believe so. Q. So Captain Miller came aboard along with	4 5 6 7 8 9	any time. Q. There's no like approval process or anything, though? A. Not for these, no. Q. If it's not submitted on the day that it's due, is there a way to go into the system and like add it later?
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Page 194 1 Moore - April 28, 2025 1 Moore - April 28, 2025 2 form is submitted? 2 MR. CHAPMAN: No worries. 3 MR. RODGERS: I thought is	
2 form is submitted? 2 MR. CHAPMAN: No worries.	Page 196
5 A. NO, HOU CHAU I KHOW OI.	
4 Q. So there's a third deckhand that's on 4 quiet.	ic would be
5 the boat on the 12th, Robert DiCanio. 5 MR. CHAPMAN: Yeah.	
6 You see that? 6 Q. It mentions about welding	the nin
7 A. Yeah, I do see that. 7 keepers and helping with attaching thi	
13 1111	a pudding is,
2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2	na ia an ald
	ing is an old
14 A. No. It's up to the officer on the 14 tugboat term for bow fendering 15 watch, and they have forgotten at times before to log 15 0. Okay. All right.	
	. that
	as some werding
19 A. They do. They might have not just 19 A. To probably work on the t	
20 logged it in the logbook entry. 20 straps. And I would have to look at - 21 0. The very top of page 52 there, it says 21 to speak to Lenny about it, because he	
	pin was the
23 Were there any issues other than the 23 shackle pins to secure it.	
24 replacement of the fendering you've described? 24 Q. So presumably, General Sh	iip would have
25 A. No, sir. 25 invoiced you for some of this work?	
Page 195	Page 197
1 Moore - April 28, 2025 1 Moore - April 28, 2025	
2 Q. And General Ship Repair was paid for the 2 A. He very well might have,	
3 work they did? 3 remember a PO coming through or an inv	
4 A. I would have to look at it also and 4 through, but it's something we'd have	
F through the angile with the foreign on those but	
5 through the e-mails with the foreman on there, but 5 Q. Okay. And then it finall	
6 their ultimate once they looked into it, they 6 tug got underway that evening, it look	
6 their ultimate once they looked into it, they 7 couldn't make the repairs, because they would have to 7 1900 hours, right?	
6 their ultimate once they looked into it, they 7 couldn't make the repairs, because they would have to 8 remove fuel from fuel tanks. Because they're 6 tug got underway that evening, it look 7 1900 hours, right? 8 A. Yep.	s like around
6 their ultimate once they looked into it, they 7 couldn't make the repairs, because they would have to 8 remove fuel from fuel tanks. Because they're 9 adjacent to the welding was adjacent to a fuel 6 tug got underway that evening, it look 7 1900 hours, right? 8 A. Yep. 9 Q. And made, it looks like,	s like around
6 their ultimate once they looked into it, they 7 couldn't make the repairs, because they would have to 8 remove fuel from fuel tanks. Because they're 9 adjacent to the welding was adjacent to a fuel 10 tank, and they wouldn't be able to do it. 6 tug got underway that evening, it looks 7 1900 hours, right? 8 A. Yep. 9 Q. And made, it looks like, 10 steaming from Norfolk, right?	s like around
their ultimate once they looked into it, they couldn't make the repairs, because they would have to remove fuel from fuel tanks. Because they're adjacent to the welding was adjacent to a fuel tank, and they wouldn't be able to do it. Q. So they stayed at General Ship for a tug got underway that evening, it looks 1900 hours, right? A. Yep. Q. And made, it looks like, steaming from Norfolk, right? A. Yes, sir.	s like around 9 or 10 knots
their ultimate once they looked into it, they couldn't make the repairs, because they would have to remove fuel from fuel tanks. Because they're diagrams adjacent to the welding was adjacent to a fuel tank, and they wouldn't be able to do it. Q. So they stayed at General Ship for a couple of days, ultimately couldn't get the repairs 6 tug got underway that evening, it look 1900 hours, right? 8 A. Yep. 9 Q. And made, it looks like, 10 steaming from Norfolk, right? 11 A. Yes, sir. 12 Q. And that was light boat.	s like around 9 or 10 knots
6 their ultimate once they looked into it, they 7 couldn't make the repairs, because they would have to 8 remove fuel from fuel tanks. Because they're 9 adjacent to the welding was adjacent to a fuel 10 tank, and they wouldn't be able to do it. 11 Q. So they stayed at General Ship for a 12 couple of days, ultimately couldn't get the repairs 13 done? 16 tug got underway that evening, it looks 7 1900 hours, right? 8 A. Yep. 9 Q. And made, it looks like, 10 steaming from Norfolk, right? 11 A. Yes, sir. 12 Q. And that was light boat. 13 pushing a barge or anything?	s like around 9 or 10 knots
their ultimate once they looked into it, they couldn't make the repairs, because they would have to remove fuel from fuel tanks. Because they're adjacent to the welding was adjacent to a fuel packet to tank, and they wouldn't be able to do it. Q. So they stayed at General Ship for a couple of days, ultimately couldn't get the repairs done? A. Correct. Light boat.	9 or 10 knots They're not
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their ultimate once they looked into it, they couldn't make the repairs, because they would have to remove fuel from fuel tanks. Because they're adjacent to the welding was adjacent to a fuel tank, and they wouldn't be able to do it. Q. So they stayed at General Ship for a couple of days, ultimately couldn't get the repairs done? A. Correct. Q. So if you turn to page 54 to Q. So if you turn to page 54 to Q. To that a typical speed for the pairs do you know? A. Okay. Q it looks like for the 7:55 a.m. Rentry, somebody spoke with the shipyard project manager about welding the pin keepers and helping with attaching the rub rails as a temporary fix. Required tug got underway that evening, it look 1900 hours, right? Required to 1900 hours, right? A. Yep. 9 Q. And made, it looks like, steaming from Norfolk, right? 10 steaming from Norfolk, right? 11 A. Yes, sir. 12 Q. And that was light boat. 13 pushing a barge or anything? 14 A. Correct. Light boat. 15 Q. Is that a typical speed for you know? 16 do you know? 17 A. For a light boat it is, you for the 15th particular to page 56 now for the 15th particular than they find the page 56 now for the 15th particular than they find the page 56 now for the 15th particular than they find the page 56 now for the 15th page 50 n	9 or 10 knots They're not for that vessel, reah. Ally arrived h. k. It looks
their ultimate once they looked into it, they couldn't make the repairs, because they would have to remove fuel from fuel tanks. Because they're adjacent to the welding was adjacent to a fuel padjacent to the welding was adjacent to a fuel padjacent padjace	9 or 10 knots They're not for that vessel, reah. Ally arrived th. k. It looks an Hale from
their ultimate once they looked into it, they couldn't make the repairs, because they would have to remove fuel from fuel tanks. Because they're adjacent to the welding was adjacent to a fuel tank, and they wouldn't be able to do it. Q. So they stayed at General Ship for a couple of days, ultimately couldn't get the repairs done? A. Correct. Q. So if you turn to page 54 Light boat. Q. So if you turn to page 54 Light boat. Q. So if you turn to page 54 Light boat. Q. So if you turn to page 54 Light boat. Q. So if you turn to page 54 Light boat. Q. Tis that a typical speed for do you know? Q it looks like for the 7:55 a.m. Rentry, somebody spoke with the shipyard project manager about welding the pin keepers and helping with attaching the rub rails as a temporary fix. And it looks like there was some welding work done.	9 or 10 knots They're not for that vessel, reah. Ally arrived A. A. It looks an Hale from the boat?
their ultimate once they looked into it, they couldn't make the repairs, because they would have to remove fuel from fuel tanks. Because they're adjacent to the welding was adjacent to a fuel tank, and they wouldn't be able to do it. Q. So they stayed at General Ship for a couple of days, ultimately couldn't get the repairs done? A. Correct. Q. So if you turn to page 54 A. Okay. A. Okay. Convect. Rentry, somebody spoke with the shipyard project manager about welding the pin keepers and helping manager about welding the pin keepers and helping with attaching the rub rails as a temporary fix. Coiled in the two right? A. Use got underway that evening, it look tug got underway that evening, it look tages and to sug on the looks like, the sum of the seaming from Norfolk, right? A. Yes, sir. Q. And that was light boat. Q. And that was light boat. Q. Is that a typical speed for do you know? 15 Q. Is that a typical speed for do you know? 17 A. For a light boat it is, you have a sum of the sum	9 or 10 knots They're not for that vessel, reah. Ally arrived A. It looks An Hale from The boat? For Skanska or
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1	0	Moore - April 28, 2025	1	Moore - April 28, 2025	
2	Q.	So he was going to survey that it was	2	A. Yeah, a computer monitor.	
3		ely lashed and that sort of thing?	3	Q. Okay. And did it look as	grainy as the
4	Α.	Yes, sir, prior to getting underway.	4	one that's been marked as Exhibit 1?	13
5	Q.	So it looks like they met arrived at	5	A. I don't recall. I assume	tnat was just
6		round 11:30 a.m., right?	6	because of printing on that.	:-:
7	Α.	Yes, sir.	7 8	Q. Okay. Was Skanska ever no	otilied of the
8	Q.	And would it take three and a half hours	9	incident?	
9		complete a survey before they could get	-	A. Yeah.	21
10	underway?	This are that amount	10	Q. And who was contacted at S	
11	Α.	It's not that unusual.	11	A. I don't know off the top	-
12	Q.	Do you get a report of that survey?	12	Q. Who was your primary conta	
13	Α.	I don't recall getting that report. I	13	A. I would have to look it up	•
14		t one went straight to Skanska. I would	14	because it wasn't directly part of the	
15	have to loo		15	part that I was involved with. But Jas	-
16	Q.	You said this was the north portal	16	of Meyerrose & Sons, I believe, did the	e off-hire in
17	bridge?	C	17	New York Harbor.	CC 1- '
18	Α.	Correct.	18	Q. When you say the on-hire/o	
19	Q.	That's done now, isn't it?	19	you're talking about the Weeks 281 barg	ge?
20	A.	Yes, sir.	20	A. Correct.	
21	Q.	And then sometime around 1630, there's	21	Q. Right.	
22	an entry ak	out incident, Norfolk, Virginia.	22	Did you guys lease that fr	
23		You see that?	23	A. No, we did not lease it.	We just
24	A.	Yes, sir.	24	transported it.	
25	Q.	Mate James Morrissey reports the auto	25	Q. Okay. So Skanska was Weel	ks' customer
		Page 199			Page 201
1		Moore - April 28, 2025	1	Moore - April 28, 2025	
2	-	ot completely turned off. He was able to	2	for the barge rental?	
3				for the barge rental:	
		l switch back over to hand steering and	3	A. Yes.	
4	begin backi	ng on the Weeks 281 barge and maneuvered	3 4	A. Yes. Q. All right. So and my of	=
4 5	begin backi the barge a	ng on the Weeks 281 barge and maneuvered		A. Yes.	=
	begin backi the barge a	ng on the Weeks 281 barge and maneuvered	4	A. Yes. Q. All right. So and my of	=
5	begin backi the barge a	ng on the Weeks 281 barge and maneuvered	4 5	A. Yes. Q. All right. So and my of my question was who was your primary of	ontact at
5 6	begin backi the barge a bridge. Ph	ng on the Weeks 281 barge and maneuvered	4 5 6	Q. All right. So and my of my question was who was your primary constants for this bridge job? A. Nobody to me directly for of it.	this transport
5 6 7	begin backi the barge a bridge. Ph	ng on the Weeks 281 barge and maneuvered alongside fendering on the north and PBL RR noto taken. Proceed slowly away from	4 5 6 7	A. Yes. Q. All right. So and my of my question was who was your primary constraints bridge job? A. Nobody to me directly for	this transport
5 6 7 8 9	begin backi the barge a bridge. Ph bridge.	ng on the Weeks 281 barge and maneuvered alongside fendering on the north and PBL RR noto taken. Proceed slowly away from Do you know who made that entry?	4 5 6 7 8	Q. All right. So and my of my question was who was your primary constants for this bridge job? A. Nobody to me directly for of it.	this transport
5 6 7 8 9 10 11	begin backi the barge a bridge. Ph bridge.	ng on the Weeks 281 barge and maneuvered alongside fendering on the north and PBL RR noto taken. Proceed slowly away from Do you know who made that entry? I do not.	4 5 6 7 8 9	A. Yes. Q. All right. So and my of my question was who was your primary constraints bridge job? A. Nobody to me directly for of it. Then for Skanska South, the	this transport nere was a roughout the
5 6 7 8 9 10 11	begin backi the barge a bridge. Ph bridge. A. Q.	ng on the Weeks 281 barge and maneuvered alongside fendering on the north and PBL RR noto taken. Proceed slowly away from Do you know who made that entry? I do not.	4 5 6 7 8 9 10	A. Yes. Q. All right. So and my of my question was who was your primary constants for this bridge job? A. Nobody to me directly for of it. Then for Skanska South, the bunch of different project managers the last two years for that. It varied from Kat Wen. But they all had independent	this transport here was a roughout the om Dan Paya to
5 6 7 8 9 10 11	begin backi the barge a bridge. Ph bridge. A. Q. taken.	ng on the Weeks 281 barge and maneuvered alongside fendering on the north and PBL RR noto taken. Proceed slowly away from Do you know who made that entry? I do not. So there's a reference to a photo being	4 5 6 7 8 9 10	A. Yes. Q. All right. So and my of my question was who was your primary constraints. Skanska for this bridge job? A. Nobody to me directly for of it. Then for Skanska South, the bunch of different project managers the last two years for that. It varied from	this transport here was a roughout the om Dan Paya to
5 6 7 8 9 10 11 12 13	begin backi the barge a bridge. Ph bridge. A. Q. taken.	ng on the Weeks 281 barge and maneuvered alongside fendering on the north and PBL RR noto taken. Proceed slowly away from Do you know who made that entry? I do not. So there's a reference to a photo being Is that the photo that we looked at att's kind of grainy? We marked it I think	4 5 6 7 8 9 10 11 12	A. Yes. Q. All right. So and my of my question was who was your primary constants for this bridge job? A. Nobody to me directly for of it. Then for Skanska South, the bunch of different project managers the last two years for that. It varied from Kat Wen. But they all had independent	this transport here was a roughout the om Dan Paya to roles of set
5 6 7 8 9 10 11 12 13	begin backing the barge abridge. Probridge. A. Q. taken.	ng on the Weeks 281 barge and maneuvered alongside fendering on the north and PBL RR noto taken. Proceed slowly away from Do you know who made that entry? I do not. So there's a reference to a photo being Is that the photo that we looked at	4 5 6 7 8 9 10 11 12 13 14	A. Yes. Q. All right. So and my of my question was who was your primary constants. A. Nobody to me directly for of it. Then for Skanska South, the bunch of different project managers that last two years for that. It varied from Kat Wen. But they all had independent specific tasks. Q. You said Dan. What was he had no paya, P-A-Y-A.	this transport here was a roughout the om Dan Paya to roles of set
5 6 7 8 9 10 11 12 13 14 15	begin backi the barge a bridge. Ph bridge. A. Q. taken. earlier that as	ng on the Weeks 281 barge and maneuvered alongside fendering on the north and PBL RR noto taken. Proceed slowly away from Do you know who made that entry? I do not. So there's a reference to a photo being Is that the photo that we looked at att's kind of grainy? We marked it I think	4 5 6 7 8 9 10 11 12 13 14 15	A. Yes. Q. All right. So and my of my question was who was your primary of Skanska for this bridge job? A. Nobody to me directly for of it. Then for Skanska South, the bunch of different project managers the last two years for that. It varied from Kat Wen. But they all had independent specific tasks. Q. You said Dan. What was here	this transport here was a roughout the om Dan Paya to roles of set
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5 6 7 8 9 10 11 12 13 14 15 16 17 18	begin backing the barge abridge. Phoridge. A. Q. taken. earlier the as A. Q.	ng on the Weeks 281 barge and maneuvered alongside fendering on the north and PBL RR noto taken. Proceed slowly away from Do you know who made that entry? I do not. So there's a reference to a photo being Is that the photo that we looked at at the photo that we marked it I think 1. Exhibit 1. Yes. Yep. I believe that's what it would be	4 5 6 7 8 9 10 11 12 13 14 15	A. Yes. Q. All right. So and my of my question was who was your primary considers. A. Nobody to me directly for of it. Then for Skanska South, the bunch of different project managers the last two years for that. It varied from Kat Wen. But they all had independent specific tasks. Q. You said Dan. What was he had a paya, P-A-Y-A. Q. And Katlin?	this transport here was a roughout the om Dan Paya to roles of set
5 6 7 8 9 10 11 12 13 14 15 16 17	begin backing the barge abridge. Probridge. A. Q. taken. earlier the as A. Q. A.	ng on the Weeks 281 barge and maneuvered alongside fendering on the north and PBL RR noto taken. Proceed slowly away from Do you know who made that entry? I do not. So there's a reference to a photo being Is that the photo that we looked at at the photo that we marked it I think 1. Exhibit 1. Yes. Yep. I believe that's what it would be	4 5 6 7 8 9 10 11 12 13 14 15 16	A. Yes. Q. All right. So and my of my question was who was your primary of Skanska for this bridge job? A. Nobody to me directly for of it. Then for Skanska South, the bunch of different project managers the last two years for that. It varied from Kat Wen. But they all had independent specific tasks. Q. You said Dan. What was he had paya, P-A-Y-A. Q. And Katlin? A. Kate Wen	this transport here was a roughout the om Dan Paya to roles of set
5 6 7 8 9 10 11 12 13 14 15 16 17 18	begin backing the barge abridge. Probridge. A. Q. taken. earlier that as A. Q. in reference Q.	ng on the Weeks 281 barge and maneuvered alongside fendering on the north and PBL RR noto taken. Proceed slowly away from Do you know who made that entry? I do not. So there's a reference to a photo being Is that the photo that we looked at at's kind of grainy? We marked it I think 1. Exhibit 1. Yes. Yep. I believe that's what it would be see to.	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A. Yes. Q. All right. So and my of my question was who was your primary consists. A. Nobody to me directly for of it. Then for Skanska South, the bunch of different project managers the last two years for that. It varied from Kat Wen. But they all had independent specific tasks. Q. You said Dan. What was head to be a paya, P-A-Y-A. Q. And Katlin? A. Kate Wen Q. Kate?	this transport here was a roughout the om Dan Paya to roles of set
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5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	begin backing the barge and bridge. Probabilities and probabilities are probabilities as and probabilities as and probabilities as and probabilities and probabilities are probabilities as and probabilities and probabilities are probabilities are probabilities and probabilities are probabilities are probabilities are probabilities are probabilities and probabilities are	ng on the Weeks 281 barge and maneuvered alongside fendering on the north and PBL RR noto taken. Proceed slowly away from Do you know who made that entry? I do not. So there's a reference to a photo being Is that the photo that we looked at att's kind of grainy? We marked it I think 1. Exhibit 1. Yes. Yep. I believe that's what it would be see to. Okay. Is that the only bridge photo an recall seeing?	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A. Yes. Q. All right. So and my of my question was who was your primary considers. A. Nobody to me directly for of it. Then for Skanska South, the bunch of different project managers the last two years for that. It varied from Kat Wen. But they all had independent specific tasks. Q. You said Dan. What was hear and the paya, P-A-Y-A. Q. And Katlin? A. Kate Wen Q. Kate? A. W-E-N. Q. Kate Wen, W-E-N?	this transport here was a roughout the om Dan Paya to roles of set
5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	begin backing the barge abridge. Probridge. A. Q. taken. earlier that as A. Q. A. in reference Q. that you can A. Q.	ng on the Weeks 281 barge and maneuvered alongside fendering on the north and PBL RR noto taken. Proceed slowly away from Do you know who made that entry? I do not. So there's a reference to a photo being Is that the photo that we looked at at's kind of grainy? We marked it I think 1. Exhibit 1. Yes. Yep. I believe that's what it would be se to. Okay. Is that the only bridge photo in recall seeing? Yes, sir.	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A. Yes. Q. All right. So and my of my question was who was your primary of Skanska for this bridge job? A. Nobody to me directly for of it. Then for Skanska South, the bunch of different project managers the last two years for that. It varied from Kat Wen. But they all had independent specific tasks. Q. You said Dan. What was head and Katlin? A. Paya, P-A-Y-A. Q. And Katlin? A. Kate Wen Q. Kate? A. W-E-N. Q. Kate Wen, W-E-N? A. Yep.	this transport mere was a roughout the om Dan Paya to roles of set is last name?
5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	begin backing the barge abridge. Probridge. A. Q. taken. earlier that as A. Q. A. in reference Q. that you can A. Q.	ng on the Weeks 281 barge and maneuvered alongside fendering on the north and PBL RR noto taken. Proceed slowly away from Do you know who made that entry? I do not. So there's a reference to a photo being Is that the photo that we looked at at's kind of grainy? We marked it I think 1. Exhibit 1. Yes. Yep. I believe that's what it would be se to. Okay. Is that the only bridge photo in recall seeing? Yes, sir. Have you ever looked at it on a large	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. Yes. Q. All right. So and my of my question was who was your primary of Skanska for this bridge job? A. Nobody to me directly for of it. Then for Skanska South, the bunch of different project managers the last two years for that. It varied from Kat Wen. But they all had independent specific tasks. Q. You said Dan. What was he had a paya, P-A-Y-A. Q. And Katlin? A. Kate Wen Q. Kate? A. W-E-N. Q. Kate Wen, W-E-N? A. Yep. Q. Okay.	this transport mere was a roughout the om Dan Paya to roles of set is last name?

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					April 28, 2025
1		Page 202 Moore - April 28, 2025	2 1		Page 204 Moore - April 28, 2025
2	Other?	MOUTE APITI 20, 2023	2	A.	No, it does not.
3	A.	Correct.	3	Q.	And that's on Carver pages 58, 59,
4	0.	And it says In Navy anchorage. Break	4	right?	The date of on earver pages 30, 37,
5	~	te photos of barge. "No damage detected."	5	A.	Yes, sir.
6	Right?	E FILLE OF MALTE. NO MAINAGE MELECULA.	6	Q.	So do you know when it arrived at
7	A.	Correct.	7	destination?	
8	0.	Do you know why those are in quote	8	A.	I would have to reference the logs and
9	marks?	1 2 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	9	these latitu	ude and longitude positions.
10	A.	No. That, I do not.	10	Q.	Just we could figure that out if we
11	Q.	Do you know who made that entry?	11	saw the next	t page or two?
12	Α.	Also do not know that.	12	A.	Correct.
13	Q.	And the photos of the barge, we looked	13	Q.	Okay.
14		stures of the barge. Again, somewhat	14	~	MR. CHAPMAN: Mark that as 7, please.
15	grainy.		15		(Exhibit 7, Log Entries, marked for
16	=	Are those the photos that were taken, to	16	ident	ification, as of this date.)
17	your knowle	edge, at that time?	17	Q.	I've handed you Exhibit 7, Mr. Moore.
18	A.	To yes.	18		I don't know what to call this, but it's
19	Q.	And then they finally got underway	19	consecutive]	ly numbered Carver 000060 through 000066.
20	around 7 p	m., right?	20		And on 000065, it has the words slip
21	A.	Yes, sir.	21	sheet.	
22	Q.	They note their underway speed on tow	22	A.	I have no clue what that referenced to.
23	wire as, it	looks like, 6.6 knots, and then	23	Q.	I can't maybe these are in some
24	eventually	7.9 knots.	24	order, maybe	e they're not. I don't know. It's just
25		Is that the normal speed for a for	25	the way it w	was produced to me.
		Page 203	3		Page 205
1		Moore - April 28, 2025	1		Moore - April 28, 2025
2	this tug to	wing a barge on the wire?	2		Do you know what these are?
3	A.	Yeah. It all depends on what the the	3	A.	No, sir, I do not.
4	tide and co	rrent's doing, if how many layers of	4	Q.	I mean, they look a little bit like
5	wire he has	s out so he doesn't put it in full ahead.	5	logbook enti	ries, but is there some other way to print
6		So I'm not sure where he was at at that	6	or publish i	information that's in this Helm system
7		it all depends on the currents.	7	=	es a record that looks like something
8	Q.	And it looks like around 9:30 p.m.,	8	like a sprea	adsheet?
9		on the 15th, they went to three plus	9	A.	There is a way to print it in either
10	layers out		10		F. When you prints a daily log or
11	A.	Yes.	11		may be, it prints it to either/or. I
12	Q.	What distance is that?	12		ave to acknowledge which one it is.
13	Α.	Each tow winch drum is different. The	13	Q.	Okay. This looks like it was printed in
14	_	ould know it, but it all depends on each	14	Excel.	
15		ne layer across the top drum.	15	Α.	It does look like that.
16	Q.	And there's a number of references to	16	Q.	Okay.
17	CSE, and th	nen some distance. 108-T, CSE 97-T.	17		MR. CHAPMAN: Mark that as 8, please.
18	=	Do you see those entries?	18	= 1	(Exhibit 8, Christopher Lee Miller
19	Α.	I do.	19		yment Records, marked for identification,
20	Q.	What is that a reference to?	20		this date.)
21	Α.	I don't know off the top of my head.	21	Q.	You've been handed Exhibit 8, which I
22	Q.	So looking at the next day, June 16th,	22		to be the merchant mariner credential for
	2024, it lo	ooks like it's underway the whole day. It	23	Captain Mill	
23	-				
23 24 25	does not an	rive at destination on the 16th; is that	24 25	A. Q.	Yes, sir. And these pages are not quite in order.

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Page 206 1 Moore - April 28, 2025 2 They were produced to us this way, but I put the 2 pers	Page 208
2 They were produced to us this way, but I put the 2 pers	Moore - April 28, 2025
	onal file of records on other people?
3 credential on top and put a drug test that came with 3	A. No. It would just all go through HR
4 them, described as a pre-employment drug test, at the 4 then	
5 end. 5	Q. So the last page of Exhibit 8 is a
6 So it starts with page 44, 45, 46, and 6 Pred	rug Pre-Employment Drug Screen for Captain
7 then ends with page 43. 7 Mill	er
8 You see that? 8	A. Yes, sir.
9 A. Yes, sir. 9	Q correct?
10 Q. Okay. So these appear to be documents 10	And the specimen was collected on
11 that you would take up when you're hiring somebody, 11 Janu	ary 17th, 2024, right?
12 or if there is a new credential, you would update 12	A. Yes, sir.
13 your system with it, right?	Q. And there's a test verification on
14 A. Correct. 14 Janu	ary 20th of 2024, right?
15 Q. Do those live in some PDF electronic 15	A. Yep.
16 file or do they live in a paper file or 16	Q. So that's the earliest, presumably,
17 A. They were they would go to HR. I 17 Capt	ain Miller would have gone to work for Carver
18 don't know how HR is doing it, if it's paper or 18 Mari	ne Towing?
19 digital, off the top of my head, but they would have 19	A. I would believe so.
20 them there.	Q. Okay. Do you have any knowledge that he
21 And then also in Helm, if they had 21 ever	previously worked for Carver Marine Towing?
22 give them and gave it to us, we would put that 22	A. No. That, I do not.
23 document into Helm so we can also monitor the crews' 23	Q. And this is the same Captain Miller you
24 licenses to make sure they're not expiring and what 24 test	ified previously that you learned he recently
25 license is set for each individual person so we know 25 pass	ed away?
Page 207	Page 209
1 Moore - April 28, 2025 1	Moore - April 28, 2025
2 where to send them or where not to send them. 2	A. Yes, sir.
3 Q. So I've been around this business for a 3	Q. Okay.
	Q. Okay. MR. CHAPMAN: I'm going to apologize. I
3 Q. So I've been around this business for a 3	-
3 Q. So I've been around this business for a 4 long time as a lawyer	MR. CHAPMAN: I'm going to apologize. I
3 Q. So I've been around this business for a 3 4 long time as a lawyer 4 5 A. Yeah. 5	MR. CHAPMAN: I'm going to apologize. I did not get a chance to staple these back
3 Q. So I've been around this business for a 3 4 long time as a lawyer 4 5 A. Yeah. 5 6 Q and what I've come to learn is even 6	MR. CHAPMAN: I'm going to apologize. I did not get a chance to staple these back together. I don't know if there's a stapler in
3 Q. So I've been around this business for a 4 long time as a lawyer 5 A. Yeah. 6 Q and what I've come to learn is even 7 though there's an electronic record that HR has got, 7	MR. CHAPMAN: I'm going to apologize. I did not get a chance to staple these back together. I don't know if there's a stapler in this room.
3 Q. So I've been around this business for a 4 long time as a lawyer 5 A. Yeah. 5 Q and what I've come to learn is even 7 though there's an electronic record that HR has got, 8 oftentimes people have their own sort of private like 8	MR. CHAPMAN: I'm going to apologize. I did not get a chance to staple these back together. I don't know if there's a stapler in this room. You are awesome. Thank you.
3 Q. So I've been around this business for a 4 long time as a lawyer 5 A. Yeah. 5 Q and what I've come to learn is even 7 though there's an electronic record that HR has got, 8 oftentimes people have their own sort of private like 9 little files on people. 9	MR. CHAPMAN: I'm going to apologize. I did not get a chance to staple these back together. I don't know if there's a stapler in this room. You are awesome. Thank you. This is going to be No. 9.
3 Q. So I've been around this business for a 4 long time as a lawyer 5 A. Yeah. 5 Q and what I've come to learn is even 6 though there's an electronic record that HR has got, 8 oftentimes people have their own sort of private like 9 little files on people. 9 10 MR. RODGERS: Objection.	MR. CHAPMAN: I'm going to apologize. I did not get a chance to staple these back together. I don't know if there's a stapler in this room. You are awesome. Thank you. This is going to be No. 9. (Exhibit 9, Handwritten and Typed
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			April 28, 2025
1	Page 210 Moore - April 28, 2025	1	Moore - April 28, 2025
1 2	got an entry, June 15th, 1659. Statement of incident	2	prepared on 15 June 2024 or it just references the
3	that happened at approximately 1630 with the North	3	allision on June 15, 2024?
4	MPVL railroad bridge, right?	4	A. That, I don't know either.
5	A. Yes, sir.	5	Q. Would Captain Miller have access to
6	Q. Okay. And then the third page, 000049,	6	Carver Marine Towing letterhead?
7	is on Carver Marine letterhead of some form. Says	7	A. They have all over the course of
8	re: Incident report. It's got the date and time	8	time, every vessel has seen the letterheads come
9	particulars, right?	9	through. They've there's no official letterhead,
10	A. Yes, sir.	10	but they've all been utilized before another.
11	Q. And it, too, looks like it's signed by	11	Q. So if these were all prepared on 15 June
12	Captain Miller, right?	12	2024, the vessel was still underway to the bridge job
13	A. Yes, sir.	13	site, right?
14	Q. So what do you know about when Captain	14	A. Correct.
15	Miller prepared this handwritten statement?	15	Q. And so would it
16	A. I do not know when this was. This	16	MR. RODGERS: Just objection. I don't
17	would be the first first statement	17	think the first one is dated.
18	Q. Okay.	18	MR. CHAPMAN: You're correct. It's not.
19	A the handwritten one.	19	Has no date on it.
20	Q. So of these three, do they go in like,	20	MR. RODGERS: Oh, I thought you said
21	I'll call it, chronological order of when you think	21	MR. CHAPMAN: Right. No.
22	they were prepared?	22	MR. RODGERS: they were all
23	A. Well, this one, because I know they	23	MR. CHAPMAN: No. I just if they all
24	handwrit handwrote it, and I said you need to have	24	pertain to the allision with the bridge and
25	them typed out.	25	they the first one could not have been
			I I
	Page 211		Page 213
1	Page 211 Moore - April 28, 2025	1	Moore - April 28, 2025
1 2		1 2	
	Moore - April 28, 2025		Moore - April 28, 2025
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			April 28, 2025
	Page 214	1	Page 216
1	Moore - April 28, 2025	1	Moore - April 28, 2025
2	looking at.	2	work for Carver Marine Towing would have been
3	THE WITNESS: Sorry.	3	April 30, 2024?
4	A. Correction. I remember reading the	4	A. Yes
5	handwritten one before anything went out, but	5	Q. So he
6	after I don't recall the other two between now and	6	A to my knowledge.
7	when the initial 2692 was submitted.	7	Q. So he had been working for about a month
8	Q. Do you recall reading the handwritten	8	and a half at the time of this accident, right?
9	one before the vessel actually departed Norfolk?	9	A. Yes, sir.
10	A. No. I don't I can't recall if it was	10	Q. All right.
11	en route already or wherever it was in the course of	11	MR. CHAPMAN: Let's mark this as 11,
12	actions.	12	please.
13	Q. Okay. Was it before the vessel arrived	13	(Exhibit 11, Handwritten and Typed
14	at the bridge?	14	Statements of Jarkeis Bass Morrissey, marked for
15	A. Correct.	15	identification, as of this date.)
16	Q. The job site?	16	Q. So you've been handed Exhibit 11, three
17	A. Before it arrived in New York Harbor,	17	pages of statements by Jarkeis Bass Morrissey. The
18	correct.	18	first is page Carver 000071 through 000072.
19	Q. Okay. All right.	19	Excuse me. They're out of order.
20	MR. CHAPMAN: All right. Let's hope I	20	It covers contained within the
21	sort of get these stapled together eventually.	21	exhibit is 000070 through 72.
22	So this will be 10.	22	A. Yeah.
23	(Exhibit 10, Jarkeis Jamal Bass	23	Q. But the first one is the handwritten
24	Morrissey Employment Records, marked for	24	one, and I put them all in the same order just to
25	identification, as of this date.)	25	make it easier, right?
	Page 215	1	Page 217
1	Moore - April 28, 2025	1	Moore - April 28, 2025
2	Q. All right. You've been handed	2	A. Yep.
3	Exhibit 10, which I understand to be the merchant	3	Q. So you've seen the handwritten
4	mariner's document for Jarkeis Jamal Bass Morrissey,	4	statement, obviously?
5	a copy of his TWIC card, and a pre-employment drug	5	A. Yes, sir.
6	screen.	6	Q. Sometime in connection with your
7	A. Yes, sir.	7	investigation
8	Q. Carver 000067 through 69, right?	8	A. Yep.
9	A. Yep.	9	Q right?
10	Q. So on page 67, it says that his	10	And then it is followed by the typed-up
11	mariner's document was issued 11 March 2024.	11	statement of the incident, right?
	.1.10		
12	Do you see that?	12	A. Yes, sir.
13	A. Yes, sir.	13	Q. And then finally, a report on Carver
13 14	A. Yes, sir. Q. Do you know if this is his first	13 14	Q. And then finally, a report on Carver Marine Towing letterhead that appears to be signed by
13 14 15	A. Yes, sir. Q. Do you know if this is his first merchant marine document?	13 14 15	Q. And then finally, a report on Carver Marine Towing letterhead that appears to be signed by Mr. Jarkeis Morrissey, right?
13 14 15 16	A. Yes, sir. Q. Do you know if this is his first merchant marine document? A. I don't know off the top of my head. I	13 14 15 16	Q. And then finally, a report on Carver Marine Towing letterhead that appears to be signed by Mr. Jarkeis Morrissey, right? A. Yes, sir.
13 14 15 16 17	A. Yes, sir. Q. Do you know if this is his first merchant marine document? A. I don't know off the top of my head. I do know he did have prior experience with another	13 14 15 16 17	Q. And then finally, a report on Carver Marine Towing letterhead that appears to be signed by Mr. Jarkeis Morrissey, right? A. Yes, sir. Q. All right. So Mr. Morrissey's
13 14 15 16 17 18	A. Yes, sir. Q. Do you know if this is his first merchant marine document? A. I don't know off the top of my head. I do know he did have prior experience with another company.	13 14 15 16 17 18	Q. And then finally, a report on Carver Marine Towing letterhead that appears to be signed by Mr. Jarkeis Morrissey, right? A. Yes, sir. Q. All right. So Mr. Morrissey's Jarkeis Morrissey's statement, in his handwritten one
13 14 15 16 17 18 19	A. Yes, sir. Q. Do you know if this is his first merchant marine document? A. I don't know off the top of my head. I do know he did have prior experience with another company. Q. Okay. And then looking at the last page	13 14 15 16 17 18 19	Q. And then finally, a report on Carver Marine Towing letterhead that appears to be signed by Mr. Jarkeis Morrissey, right? A. Yes, sir. Q. All right. So Mr. Morrissey's Jarkeis Morrissey's statement, in his handwritten one and in his typed-up one these are pages 71 and
13 14 15 16 17 18 19 20	A. Yes, sir. Q. Do you know if this is his first merchant marine document? A. I don't know off the top of my head. I do know he did have prior experience with another company. Q. Okay. And then looking at the last page of this exhibit, it looks like the specimen for his	13 14 15 16 17 18 19 20	Q. And then finally, a report on Carver Marine Towing letterhead that appears to be signed by Mr. Jarkeis Morrissey, right? A. Yes, sir. Q. All right. So Mr. Morrissey's Jarkeis Morrissey's statement, in his handwritten one and in his typed-up one these are pages 71 and then 70 there's a reference to losing steering.
13 14 15 16 17 18 19 20 21	A. Yes, sir. Q. Do you know if this is his first merchant marine document? A. I don't know off the top of my head. I do know he did have prior experience with another company. Q. Okay. And then looking at the last page of this exhibit, it looks like the specimen for his pre- employment was collected on March excuse me,	13 14 15 16 17 18 19 20 21	Q. And then finally, a report on Carver Marine Towing letterhead that appears to be signed by Mr. Jarkeis Morrissey, right? A. Yes, sir. Q. All right. So Mr. Morrissey's Jarkeis Morrissey's statement, in his handwritten one and in his typed-up one these are pages 71 and then 70 there's a reference to losing steering. He says We left at 1500. Everything was
13 14 15 16 17 18 19 20 21 22	A. Yes, sir. Q. Do you know if this is his first merchant marine document? A. I don't know off the top of my head. I do know he did have prior experience with another company. Q. Okay. And then looking at the last page of this exhibit, it looks like the specimen for his pre- employment was collected on March excuse me, April 29th of 2024, and verified on April 30th of	13 14 15 16 17 18 19 20 21 22	Q. And then finally, a report on Carver Marine Towing letterhead that appears to be signed by Mr. Jarkeis Morrissey, right? A. Yes, sir. Q. All right. So Mr. Morrissey's Jarkeis Morrissey's statement, in his handwritten one and in his typed-up one these are pages 71 and then 70 there's a reference to losing steering. He says We left at 1500. Everything was good. An hour later, the boat lost steering in the
13 14 15 16 17 18 19 20 21 22 23	A. Yes, sir. Q. Do you know if this is his first merchant marine document? A. I don't know off the top of my head. I do know he did have prior experience with another company. Q. Okay. And then looking at the last page of this exhibit, it looks like the specimen for his pre- employment was collected on March excuse me, April 29th of 2024, and verified on April 30th of 2024, right?	13 14 15 16 17 18 19 20 21 22 23	Q. And then finally, a report on Carver Marine Towing letterhead that appears to be signed by Mr. Jarkeis Morrissey, right? A. Yes, sir. Q. All right. So Mr. Morrissey's Jarkeis Morrissey's statement, in his handwritten one and in his typed-up one these are pages 71 and then 70 there's a reference to losing steering. He says We left at 1500. Everything was good. An hour later, the boat lost steering in the upper wheelhouse. Right? That's what he said?
13 14 15 16 17 18 19 20 21 22	A. Yes, sir. Q. Do you know if this is his first merchant marine document? A. I don't know off the top of my head. I do know he did have prior experience with another company. Q. Okay. And then looking at the last page of this exhibit, it looks like the specimen for his pre- employment was collected on March excuse me, April 29th of 2024, and verified on April 30th of	13 14 15 16 17 18 19 20 21 22	Q. And then finally, a report on Carver Marine Towing letterhead that appears to be signed by Mr. Jarkeis Morrissey, right? A. Yes, sir. Q. All right. So Mr. Morrissey's Jarkeis Morrissey's statement, in his handwritten one and in his typed-up one these are pages 71 and then 70 there's a reference to losing steering. He says We left at 1500. Everything was good. An hour later, the boat lost steering in the

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Document 72-2

1	Davis 040		April 28, 2025
1	Page 218 Moore - April 28, 2025	1	Moore - April 28, 2025
2	he was in the galley cleaning up and put away the	2	Q. Okay. And do you have do you know
3	food when we hit something. I went to the wheelhouse	3	what he meant by sliding?
4	to make sure everything was okay. He said we lost	4	A. No, sir, I do not.
5	steering.	5	Q. But he didn't use the word bump or
6	There's two places in here where he says	6	describe it as a bump in
7	the boat lost steering, but in the final Carver	7	A. No, he did not.
8	Marine Towing letterhead incident report, it doesn't	8	Q this third statement, right?
9	say anything about losing steering.	9	A. Correct.
10	Did you ever ask Mr. Morrissey, Jarkeis	10	Q. Did you ever interview him or speak with
11	Morrissey, why he mentioned losing the steering in	11	him to try to understand what he meant by sliding?
12	the first two statements, and said nothing about it	12	A. No. The only time I ever spoke to any
13	in the third one?	13	of the guys is when the NTSB was on board.
14	A. No, sir, I did not.	14	Q. When did the NTSB show up?
15	Q. And in the first two statements, he says	15	A. I don't remember off the top of my head.
16	that he was in the galley putting away food, and then	16	It was fairly shortly after their arrival into New
17	they hit something. We hit something. But he	17	York.
18	doesn't mention anything about hitting anything in	18	MR. RODGERS: Were you asking that
19	his third Carver Marine Towing letterhead.	19	question, Jim, on Miller's final statement?
20	You see that?	20	MR. CHAPMAN: Yeah. This was Captain
21	A. Yes, sir.	21	Miller's statement.
22	Q. Did you ever ask him why he did not say	22	MR. RODGERS: I think he says sliding.
23	anything about hitting something in his statement on	23	MR. CHAPMAN: It says, first sentence
24	page 72?	24	Felt us sliding.
25	A. No, sir, I did not. I did not speak to	25	MR. RODGERS: Well, I guess he does,
	D 040		
1	Page 219		Page 221
1	Page 219 Moore - April 28, 2025	1	Page 221 Moore - April 28, 2025
1 2		1 2	
	Moore - April 28, 2025		Moore - April 28, 2025
2	Moore - April 28, 2025 him about that.	2	Moore - April 28, 2025 then. Sorry. Withdrawn.
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2 3 4 5	Moore - April 28, 2025 him about that. Q. Do you know if anybody did? A. Not that I would know of. Q. Did Mr. Baldassare say anything to you	2 3 4 5	Moore - April 28, 2025 then. Sorry. Withdrawn. THE VIDEOGRAPHER: Mr. Moore, I'm sorry. Can you please move just a little bit. THE WITNESS: This way?
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2 3 4 5 6 7 8 9 10	Moore - April 28, 2025 him about that. Q. Do you know if anybody did? A. Not that I would know of. Q. Did Mr. Baldassare say anything to you to help clarify that? A. No. I I only really remember seeing the handwritten ones, and then I don't quite really remember these statements of the hand-typed ones. Q. All right. So let's go back to No. 9, which was the statement of Captain Miller. A. Okay. Q. In the first two pages, 47 and 48, it	2 3 4 5 6 7 8 9 10 11	Moore - April 28, 2025 then. Sorry. Withdrawn. THE VIDEOGRAPHER: Mr. Moore, I'm sorry. Can you please move just a little bit. THE WITNESS: This way? THE VIDEOGRAPHER: Yes. Thank you. Q. So in his written statement, handwritten statement, he said that he ran up top to speak with James Morrissey, and he informed me that the tug went hard over. He said the I don't know what that word is. Something stuck struck? Do you know what he meant by that?
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			Aprii 28, 2025
	Page 222		Page 224
1	Moore - April 28, 2025	1	Moore - April 28, 2025
2	Q. So you didn't call him back?	2	that?
3	A. I called Lenny back.	3	A. No. I assume by slow bell, they meant
4	Q. You called Mr. Baldassare?	4	to anchorage to look into it further.
5	A. Yes, sir.	5	Q. So in the typed-up version on company
6	Q. Okay. Then it goes on to say Lenny	6	letterhead, Captain Miller says that when he went up
7	informed me that he and Brian will inform Coast Guard	7	to the wheelhouse to check on the mate, and he
8	of incident. Waiting on orders. Right?	8	informed me that he had gotten out of shape upon his
9	A. That's what it says, yes.	9	approach to the bridge.
10	Q. Did you ever give Mr. Baldassare	10	What does that mean to you, when he says
11	instructions to notify the Coast Guard of the	11	the mate told him he had gotten out of shape on his
12	incident?	12	approach to the bridge?
13	A. I did not. I told him to look into it	13	A. That means while if I'm looking at
14	further.	14	it, the way he the way he was steering is that he
15	Q. And did Mr. Baldassare say to you that	15	was it wasn't in line for the center span. So he
16	he was going to notify the Coast Guard of the	16	got out of shape.
17	incident?	17	Q. Is that a term of art in the maritime
18	A. I don't recall him saying that.	18	business
19	Q. Meaning he might have said it and you	19	A. Yes.
20	just don't remember it, or meaning you just don't	20	Q getting out of shape?
21	have a memory of him saying something like that?	21	A. Yep. It's when you're when you're
22	A. No, I don't almost a year ago, I	22	not at when you're not in where you should be.
23	don't remember exactly what he said there in that	23	Q. There's no mention in this typed-up
24	phone call.	24	version on page 49 about feeling a bump while he was
25	Q. So his typed statement, which is page	25	in his room, right?
		>	Page 225
1	Page 22: Moore - April 28, 2025	3 1	Page 225 Moore - April 28, 2025
1 2			Moore - April 28, 2025 A. Yep.
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Moore - April 28, 2025 48, he says Mr. Morrissey informed me that the tug's rudder went hard over and wouldn't respond, resulting in the Weeks 281 barge to tap the side of the railroad bridge. I took a quick photo of the bridge where we tapped it with no seen damage from what we saw in the photo. I called Brian Moore and left a message, and then called Lenny and Lenny Baldassare and spoke with him of the incident. He then informed me that he and Brian would inform the Coast Guard of the incident. Did Captain Miller ever say to you after this incident at any time, you know, the following day or after arrival into New York or any time thereafter, that Lenny told him that he was going to tell the Coast Guard of the incident? A. In speaking with Captain Miller? No, I don't recall him speaking about that.	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Moore - April 28, 2025 A. Yep. Q. There's no mention of the mate telling him that the tug's rudder went hard over and wouldn't respond, right? A. Correct. Q. Or that the Weeks barge tapped the side of the railroad bridge, right? A. Correct. Q. And even though he says that he took a photo of it in both his take that back. Even though he says in the typed-up statement that he did, which is page 48, that he took a photo of the bridge where we tapped it, there's no mention of that in the typed-up statement on Carver letterhead, correct? A. Of the photo? No, there's not. Q. In terms of your investigation, you didn't make any effort to sort out the discrepancies between these statements
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	Moore - April 28, 2025 48, he says Mr. Morrissey informed me that the tug's rudder went hard over and wouldn't respond, resulting in the Weeks 281 barge to tap the side of the railroad bridge. I took a quick photo of the bridge where we tapped it with no seen damage from what we saw in the photo. I called Brian Moore and left a message, and then called Lenny and Lenny Baldassare and spoke with him of the incident. He then informed me that he and Brian would inform the Coast Guard of the incident. Did Captain Miller ever say to you after this incident at any time, you know, the following day or after arrival into New York or any time thereafter, that Lenny told him that he was going to tell the Coast Guard of the incident? A. In speaking with Captain Miller? No, I don't recall him speaking about that. Q. Okay. So it says Then finally, we went to a slow or bell and waited for orders and information. And then the statement ends. A. Yes, sir.	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	A. Yep. Q. There's no mention of the mate telling him that the tug's rudder went hard over and wouldn't respond, right? A. Correct. Q. Or that the Weeks barge tapped the side of the railroad bridge, right? A. Correct. Q. And even though he says that he took a photo of it in both his take that back. Even though he says in the typed-up statement that he did, which is page 48, that he took a photo of the bridge where we tapped it, there's no mention of that in the typed-up statement on Carver letterhead, correct? A. Of the photo? No, there's not. Q. In terms of your investigation, you didn't make any effort to sort out the discrepancies between these statements Q submitted by Captain Miller, correct? MR. RODGERS: Objection to form. You can answer.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Moore - April 28, 2025 48, he says Mr. Morrissey informed me that the tug's rudder went hard over and wouldn't respond, resulting in the Weeks 281 barge to tap the side of the railroad bridge. I took a quick photo of the bridge where we tapped it with no seen damage from what we saw in the photo. I called Brian Moore and left a message, and then called Lenny and Lenny Baldassare and spoke with him of the incident. He then informed me that he and Brian would inform the Coast Guard of the incident. Did Captain Miller ever say to you after this incident at any time, you know, the following day or after arrival into New York or any time thereafter, that Lenny told him that he was going to tell the Coast Guard of the incident? A. In speaking with Captain Miller? No, I don't recall him speaking about that. Q. Okay. So it says Then finally, we went to a slow or bell and waited for orders and information. And then the statement ends.	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Moore - April 28, 2025 A. Yep. Q. There's no mention of the mate telling him that the tug's rudder went hard over and wouldn't respond, right? A. Correct. Q. Or that the Weeks barge tapped the side of the railroad bridge, right? A. Correct. Q. And even though he says that he took a photo of it in both his take that back. Even though he says in the typed-up statement that he did, which is page 48, that he took a photo of the bridge where we tapped it, there's no mention of that in the typed-up statement on Carver letterhead, correct? A. Of the photo? No, there's not. Q. In terms of your investigation, you didn't make any effort to sort out the discrepancies between these statements A. No, not Q submitted by Captain Miller, correct? MR. RODGERS: Objection to form.

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		Para 000		April 28, 2025
1		Page 226 Moore - April 28, 2025	1	Page 228 Moore - April 28, 2025
2		MR. CHAPMAN: So this is 12.	2	Q. So you've been given Exhibit this is
3		(Exhibit 12, Jason Thomas McGrath	3	13?
4	Emplo	ment Records, marked for identification,	4	A. Yes.
5		this date.)	5	Q. Which are the statements that
6	٥.	So you've been handed Exhibit 12, which	6	Mr. McGrath did.
7	~	ection of documents about Jason McGrath,	7	The first one is a handwritten one,
8		n as engineer, I believe, and a	8	signed by him. The second one, the typed one. And
9	-	ent drug screen.	9	the third one on the Carver Marine letterhead.
10	Α.	Yes, sir.	10	The document numbers are in order,
11	0.	Pages Carver 000080 through I take	11	000079, 83 and then 82.
12	that back.	They're a bit out of order. It's 80 and	12	So on the handwritten statement, we
13		s his merchant mariner's document, and	13	could agree that Engineer McGrath was a man of a few
14		end, 78, which is his drug screen, right?	14	words
15	A.	Yes, sir.	15	A. Yes, sir.
16	Q.	So according to this credential on page	16	Q right?
17	80, his doc	ment was going to expire on 25 June '24,	17	It says Was in my room. Felt abrupt
18	right?		18	stop. Went to upper wheelhouse to see what happened.
19	A.	Yep.	19	Checked engine room.
20	Q.	So ten days before the allision, right?	20	And then on the next page, which is 83,
21	A.	After allision?	21	it word for word, the same thing, right?
22	Q.	Excuse me. Thank you for correcting	22	A. Yes, sir.
23	that.		23	Q. Okay. And then on the last page, which
24		Yeah, ten days after the allision?	24	is on the Carver Marine letterhead, a little more
25	A.	Yes, sir.	25	detail. Says he was in his room completing engine
		Page 227		Page 229
1		Moore - April 28, 2025	1	Moore - April 28, 2025
2	Q.	Okay. And I think you told us earlier	2	room paperwork, he felt the boat slow down, and
3	that he just	never got it renewed, right?	3	shimmy.
4	A.	Correct. He was	4	Now, that's different than saying an
5	Q.	Okay.	5	abrupt stop, correct?
6	A.	according to him, he was pending	6	A. Yes, sir.
7	Coast Guard	•	7	Q. And he said that it had landed on the
8	Q.	Yeah.	8	bridge fendering, he went down to the engine room to
9	•	And then his pre-employment drug screen	9	make sure there were no issues, and then he went to
10	was on Decer	nber 11th, 2023?	10	the wheelhouse, and the mate informed him he had
11	A.	Yes, sir.	11	touched up on the bridge fendering. Right?
12	Q.	And verified on December 12th.	12	A. Yes, sir.
13		So that would have been when he came	13	Q. So it's a little out of order in terms
1 13			14	of what he did when, after feeling the abrupt stop,
14	earliest he	could have come to work for your company,	1	
	earliest he right?	could have come to work for your company,	15	but it mentions nothing about the abrupt stop in the
14		Yes, sir.		but it mentions nothing about the abrupt stop in the typed-up Carver Marine letterhead report, page 82,
14 15	right?		15	5
14 15 16	right? A. Q.	Yes, sir.	15 16	typed-up Carver Marine letterhead report, page 82,
14 15 16 17	right? A. Q.	Yes, sir. Right. And to your knowledge, had he	15 16 17	typed-up Carver Marine letterhead report, page 82, correct?
14 15 16 17 18	right? A. Q. previously	Yes, sir. Right. And to your knowledge, had he worked for Carver Marine Towing?	15 16 17 18	typed-up Carver Marine letterhead report, page 82, correct? A. Correct.
14 15 16 17 18 19	right? A. Q. previously	Yes, sir. Right. And to your knowledge, had he worked for Carver Marine Towing? No. Not to my knowledge.	15 16 17 18 19	<pre>typed-up Carver Marine letterhead report, page 82, correct? A. Correct. Q. And did you make any effort to try to</pre>
14 15 16 17 18 19 20	right? A. Q. previously t	Yes, sir. Right. And to your knowledge, had he worked for Carver Marine Towing? No. Not to my knowledge. E.	15 16 17 18 19 20	typed-up Carver Marine letterhead report, page 82, correct? A. Correct. Q. And did you make any effort to try to understand that discrepancy during the course of your
14 15 16 17 18 19 20 21	right? A. Q. previously t	Yes, sir. Right. And to your knowledge, had he worked for Carver Marine Towing? No. Not to my knowledge. E. All right.	15 16 17 18 19 20 21	typed-up Carver Marine letterhead report, page 82, correct? A. Correct. Q. And did you make any effort to try to understand that discrepancy during the course of your investigation before submitting the 2692?
14 15 16 17 18 19 20 21 22	right? A. Q. previously v A. Q.	Yes, sir. Right. And to your knowledge, had he worked for Carver Marine Towing? No. Not to my knowledge. E. All right. MR. CHAPMAN: Mark this as 13, please.	15 16 17 18 19 20 21 22	typed-up Carver Marine letterhead report, page 82, correct? A. Correct. Q. And did you make any effort to try to understand that discrepancy during the course of your investigation before submitting the 2692? MR. RODGERS: Objection to form.

Document 72-2 PageID# 845 BRIAN MOORE

			April 28, 2025
	Page 230		Page 232
1	Moore - April 28, 2025	1	Moore - April 28, 2025
2	(Exhibit 14, Sharif Porter Employment	2	him that the boat went hard over, correct?
3	Records, marked for identification, as of this	3	A. No, not in this one.
4	date.)	4	Q. So again, did as part of your
5	Q. This is the only document that I have	5	investigation before submitting the 2692 to the Coast
6	pertaining that was produced pertaining to Sharif	6	Guard, did you make any effort to sort out any
7	Porter, but it's a copy of one page out of his	7	discrepancy in Mr. Porter's statements?
8	mariner credential, right?	8	MR. RODGERS: Objection. No foundation.
9	A. Okay.	9	You can answer.
10	Q. I don't have anything regarding a drug	10	A. No, sir. No, sir.
11	screen.	11	MR. CHAPMAN: This will be 16.
12	Do you know when he was hired?	12	(Exhibit 16, James Morrissey's
13	A. No. He's one of the older deckhands	13	Employment Records, marked for identification,
14	within the older deckhands, senior deckhands in the	14	as of this date.)
15	company, so I don't know exactly when he was hired.	15	Q. Mr. Moore, you've been handed
16	Q. Was he there when you started working?	16	Exhibit 16, which is Captain James Morrissey's
17	A. Yes, sir.	17	merchant mariner credential, and then the drug test
18	Q. Okay. And he's still working there,	18	results post-accident. And the documents are
19	right?	19	numbered Carver 000091 through 93.
20	A. Yes, sir.	20	And then the last page, which is the
21	MR. CHAPMAN: 15.	21	test results, is Carver 000088.
22	(Exhibit 15, Handwritten and Typed	22	Do you have those?
23	Statements of Sharif Porter, marked for	23	A. Yes, sir.
24	identification, as of this date.)	24	Q. Okay.
25	Q. You've been handed Exhibit 15, which I	25	MR. RODGERS: Just for the record, it
1			
	Page 23 ²		Page 233
1	Page 23 ⁴ Moore - April 28, 2025	1	Page 233 Moore - April 28, 2025
1 2	_	1 2	
	Moore - April 28, 2025 believe are all of the statements from Sharif Porter. They're not in numerical order, but they consist of	1	Moore - April 28, 2025
2 3 4	Moore - April 28, 2025 believe are all of the statements from Sharif Porter. They're not in numerical order, but they consist of Carver 000086, his handwritten statement; 000085, the	1 2 3 4	Moore - April 28, 2025 was post-accident, the January incident. MR. CHAPMAN: I'll clarify that. MR. RODGERS: Oh, okay.
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2 3 4	Moore - April 28, 2025 believe are all of the statements from Sharif Porter. They're not in numerical order, but they consist of Carver 000086, his handwritten statement; 000085, the typed-up statement that presumably he did; and then finally 000084, which is the one on Carver Marine	1 2 3 4 5 6	Moore - April 28, 2025 was post-accident, the January incident. MR. CHAPMAN: I'll clarify that. MR. RODGERS: Oh, okay. MR. CHAPMAN: Yeah, I'll clarify that. Don't worry.
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2 3 4 5 6 7 8	Moore - April 28, 2025 believe are all of the statements from Sharif Porter. They're not in numerical order, but they consist of Carver 000086, his handwritten statement; 000085, the typed-up statement that presumably he did; and then finally 000084, which is the one on Carver Marine Towing letterhead. You have those? A. Yes, sir. Q. So this says, on the handwritten one, I	1 2 3 4 5 6 7 8	Moore - April 28, 2025 was post-accident, the January incident. MR. CHAPMAN: I'll clarify that. MR. RODGERS: Oh, okay. MR. CHAPMAN: Yeah, I'll clarify that. Don't worry. MR. RODGERS: All right. Q. So there's we weren't produced a
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			April 28, 2025
1	Page 234		Page 236
1	Moore - April 28, 2025	1	Moore - April 28, 2025
2	from Captain Morrissey and then a typed-up statement	2	Exhibit 18, what are we looking at? A. This is it looks this is a view
3	from Captain Morrissey.	3	A. This is it looks this is a view from what you would see in Helm.
4 5	A. Yes, sir. Q. Now, the handwritten statement doesn't	5	
6		6	Q. All right. And a view of what? A. The time sheets, which I believe are
7	identify his name or any signature on it. And the typed-up statement is at	7	just who the crew is on at the time. Not a work/rest
8		8	hours.
9	least has Captain James Morrissey on it, right? A. Yes, sir.	9	O. So there's a limit of 12 hours of work,
10	Q. So in his handwritten statement, he says	10	right?
11	Outbound Norfolk southern branch with Weeks 281.	11	A. Yes, sir.
12	Experienced a steering malfunction, causing tug and	12	Q. Okay. And there's a red four of them
13	barge to turn to port and touch up on bridge before	13	are green; one of them is red.
14	it could be corrected. No damage to bridge and no	14	What do those colors signal?
15	visible excuse me. No damage to barge and no	15	A. I believe it's broken into 30, 60,
16	visible damage to bridge.	16	90 days. Anything over 90 days, your license is
17	And he says essentially the same thing	17	good, green; anything 60 is yellow; and then red is
18	in his typed-up version, except that he's added his	18	30 days or less.
19	name. I, James Morrissey, was operating outbound in	19	Q. So we know McGrath's license was going
20	Norfolk, Virginia, southern branch of the Elizabeth	20	to expire in 10 days, right?
21	River with barge Weeks 281. The tug experienced a	21	A. Correct.
22	steering malfunction, causing the tug and barge to	22	Q. So that's why this is red on
23	turn to port on touch up on the bridge before it	23	A. Yes, sir.
24	could be corrected.	24	O Exhibit 18?
25	Again, goes on to say No damage to the	25	A. Yes.
1	Page 235 Moore - April 28, 2025	_	Page 237
		1 1	Moore - April 28 2025
	-	1	Moore - April 28, 2025
2	barge and no visible damage to the bridge.	2	Q. All right. And are we looking at
2	barge and no visible damage to the bridge. So basically, the same thing in both of	2 3	Q. All right. And are we looking at entries from June 1, 2024 on this page?
2 3 4	barge and no visible damage to the bridge. So basically, the same thing in both of those statements?	2 3 4	Q. All right. And are we looking at entries from June 1, 2024 on this page? A. Yes, I believe so. I couldn't exactly
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Document 72-2 PageID# 847 **BRIAN MOORE**

					April 28, 2025
		Page 238			Page 240
1		Moore - April 28, 2025	1		Moore - April 28, 2025
2	229.		2	A.	Yes. Digital signature.
3	A.	Yep.	3	Q.	And it says it's digitally signed.
4	Q.	And this sort of looks like maybe time	4		What platform did you use to digitally
5	sheet or ho	urs worked or something data?	5	sign it?	
6	A.	This looks like a work/rest log.	6	A.	I don't know off the top of my head. I
7	Q.	Okay. Would that be in the same system?	7	believe it'	s on the Coast Guard form, so I don't know
8	A.	In Helm? Yes, sir.	8	how it read	s it, if it's Adobe or not.
9	Q.	So if you go back to page 1 of 18,	9	Q.	So it wasn't signed like with your Box
10	there's fiv	e tabs at the top.	10	document man	nagement system?
11	A.	Yep.	11	A.	Oh, no.
12	٥.	Crew, Crew Chain, Time Sheets, Work/Rest	12	٥.	Okay. And you signed it on it's
13	and History		13	dated June	25th, but you said you digitally signed it
14	Α.	Yes, sir.	14	on June 26tl	
15	Q.	So we're looking at the time sheets	15	Α.	Yep.
16	page?	be no re recomming we are crime bridges	16	0.	So it would have been submitted to the
17	A.	Time sheets had payroll I'm sorry.	17	~	on what date?
18		oll-oriented one.	18	A.	I would believe it would have been the
19			19	26th.	I would believe it would have been the
	Q.	Okay. And the rest of these all have			Ohana Didama hara tha anaistana af
20		ferent views?	20	Q.	Okay. Did you have the assistance of
21	Α.	Yes, sir.	21		preparing this form?
22	Q.	But this is specifically for the	22	Α.	I did not.
23		OSE, which is listed in the Asset Asset	23	Q.	So are there any drafts of this form
24	box?		24		before it was actually submitted to the
25	A.	Yep.	25	Coast Guard	?
1					
		Page 239			Page 241
1		Page 239 Moore - April 28, 2025	1		Page 241 Moore - April 28, 2025
1 2	Q.	_	1 2	Α.	
	Q. to 232 avai	Moore - April 28, 2025 And are more legible copies of pages 229		A.	Moore - April 28, 2025
2	~	Moore - April 28, 2025 And are more legible copies of pages 229	2		Moore - April 28, 2025
2 3	to 232 avai	Moore - April 28, 2025 And are more legible copies of pages 229 lable?	2 3		Moore - April 28, 2025 There this was any sorry,
2 3 4	to 232 avai	Moore - April 28, 2025 And are more legible copies of pages 229 lable? If I can figure out what these are	2 3 4	correction.	Moore - April 28, 2025 There this was any sorry, Any drafts? What do you mean?
2 3 4 5	to 232 avai A. Q.	Moore - April 28, 2025 And are more legible copies of pages 229 lable? If I can figure out what these are All right. They too	2 3 4 5	correction.	Moore - April 28, 2025 There this was any sorry, Any drafts? What do you mean? Yeah. Like you maybe you this is
2 3 4 5 6	to 232 avai A. Q. A. Q.	Moore - April 28, 2025 And are more legible copies of pages 229 lable? If I can figure out what these are All right. They too but I believe so. They look like they came from the Helm	2 3 4 5	Q. the fifth d	Moore - April 28, 2025 There this was any sorry, Any drafts? What do you mean? Yeah. Like you maybe you this is raft that you went through, right? Oh.
2 3 4 5 6 7 8	A. Q. A. Q. system, too	Moore - April 28, 2025 And are more legible copies of pages 229 lable? If I can figure out what these are All right. They too but I believe so. They look like they came from the Helm ?	2 3 4 5 6 7 8	Q. the fifth d. A. Q.	Moore - April 28, 2025 There this was any sorry, Any drafts? What do you mean? Yeah. Like you maybe you this is raft that you went through, right? Oh. I don't know. That's what I'm asking.
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A. Q. system, too A. Q. ident Q. Exhibit 19 A. Q. 2692	Moore - April 28, 2025 And are more legible copies of pages 229 lable? If I can figure out what these are All right. They too but I believe so. They look like they came from the Helm? Yes, or an Excel. Okay. MR. CHAPMAN: All right. This is 19. (Exhibit 19, CG-2692 Report, marked for ification, as of this date.) Mr. Moore, you've been handed Yes, sir. which I believe consists of the	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q. the fifth di A. Q. A. made from th Q. A. Q. revise? A. exactly what a revision. Q.	Moore - April 28, 2025 There this was any sorry, Any drafts? What do you mean? Yeah. Like you maybe you this is raft that you went through, right? Oh. I don't know. That's what I'm asking. No. There was a there was a revision he Coast Guard, one that they requested. The Coast Guard asked for a revision? Yes, sir. And what did they request that you I don't remember off the top of my head tit was, but they Lieutenant requested
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			April 28, 2025
	Page 242		Page 244
1	Moore - April 28, 2025	1	Moore - April 28, 2025
2	don't remember off the top of my head.	2	A. I don't know off the top of my head. IT
3	Q. So there was a but there would have	3	would have all that.
4	been two forms, Coast Guard Form 2692s, that were	4	Q. So in the form that Mr. Baldassare
5	submitted to the Coast Guard?	5	submitted, were there different descriptions in block
6	A. Yes	6	25A and B?
7	Q. And	7	A. I would have to reference it.
8	A I believe so.	8	Q. So how did you arrive at the
9	Q you don't recall what she asked you	9	determination that, in fact, the barge had hit the
10	to revise?	10	bridge rather than the fendering system?
11	A. Not right now, I don't.	11	A. That's when Lieutenant Palomba called us
12	Q. All right.	12	and said it did, in fact, hit it.
13	A. Oh, okay. So I do now reading this,	13	Q. And did you receive any photographic
14	the first one was the initial one I believe Lenny	14	evidence from the Coast Guard to that effect?
15	submitted of the bridge fendering. And then after we	15	A. No. She did say there was a video, but
16	discovered the fact that it was the bridge, when she	16	she didn't have it and I didn't have it at the time,
17	had notified us on here, the bridge structure.	17	but that's why she requested us to change it.
18	So the first one was for the bridge	18	Q. Was that in an e-mail that she sent to
19	fendering, and then she asked us to Lenny and I	19	you?
20	to I don't know if it came through Lenny or if it	20	A. Yes, sir.
21	came through me, whatever it was, but that is the	21	Q. So there's a 2692-B form that's part of
22	whole e-mail chain asking for a revision.	22	this that was apparently submitted and signed by
23	Q. All right. So there was one that was	23	Mr. Baldassare on June 19th
24	submitted that just described the extent of property	24	A. Yes, sir.
25	damage to the fendering system?	25	Q 2024.
	Page 243		Page 245
			rage 245
1	Moore - April 28, 2025	1	Moore - April 28, 2025
1 2	Moore - April 28, 2025 A. Yes, sir.	1 2	9 1
	<u>-</u>		Moore - April 28, 2025
2	A. Yes, sir.	2	Moore - April 28, 2025 Do you know if that's the date that he
2 3	A. Yes, sir. Q. And that was not correct?	2	Moore - April 28, 2025 Do you know if that's the date that he would have submitted the original 2692?
2 3 4	A. Yes, sir. Q. And that was not correct? A. After we realized it was, in fact, the	2 3 4	Moore - April 28, 2025 Do you know if that's the date that he would have submitted the original 2692? A. I couldn't tell you. I don't know.
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A. Yes, sir. Q. And that was not correct? A. After we realized it was, in fact, the bridge, that's when she asked us to submit the revision. Q. Okay. When did Mr. Baldassare submit his version of the 2692? A. I don't know off the top of my head. It was between the incident and I don't remember exactly. I MR. RODGERS: Don't guess. Don't Q. And does the company still have a copy of the one that Mr. Baldassare submitted? A. I have not seen it, but I'm sure the Coast Guard has it in hand. I don't remember recalling it, the first one, because I didn't sign the first one. Q. Did the company delete it from its records?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Moore - April 28, 2025 Do you know if that's the date that he would have submitted the original 2692? A. I couldn't tell you. I don't know. Q. On page 1 of Exhibit 19, in block 10, the box for Unintended grounding or unintended strike of (allision with) a bridge is checked. Right? A. Yes, sir. Q. Was that box checked when the first form was submitted? A. I do not know off the top of my head. Q. The entries in block 25A and block 25B, were those drafted by you? A. Yes, I believe so. Q. So in 25A, the second sentence says The officer on watch, James Morrissey, was in auto pilot and didn't switch over to non-followup hand steering, but thought he did. Sir, is there any reference to being in auto pilot in either of Mr. Morrissey's statements?
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A. Yes, sir. Q. And that was not correct? A. After we realized it was, in fact, the bridge, that's when she asked us to submit the revision. Q. Okay. When did Mr. Baldassare submit his version of the 2692? A. I don't know off the top of my head. It was between the incident and I don't remember exactly. I MR. RODGERS: Don't guess. Don't Q. And does the company still have a copy of the one that Mr. Baldassare submitted? A. I have not seen it, but I'm sure the Coast Guard has it in hand. I don't remember recalling it, the first one, because I didn't sign the first one. Q. Did the company delete it from its records? A. No. There's not way. Q. Okay. So you'd still have it? A. It probably within Lenny's e-mails.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Moore - April 28, 2025 Do you know if that's the date that he would have submitted the original 2692? A. I couldn't tell you. I don't know. Q. On page 1 of Exhibit 19, in block 10, the box for Unintended grounding or unintended strike of (allision with) a bridge is checked. Right? A. Yes, sir. Q. Was that box checked when the first form was submitted? A. I do not know off the top of my head. Q. The entries in block 25A and block 25B, were those drafted by you? A. Yes, I believe so. Q. So in 25A, the second sentence says The officer on watch, James Morrissey, was in auto pilot and didn't switch over to non-followup hand steering, but thought he did. Sir, is there any reference to being in auto pilot in either of Mr. Morrissey's statements? A. Not in the statements I can recall, but it was during the NTSB interview with the Coast Guard on board, as well. That's when I believe Lieutenant

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1 2 3 4 5 6 7 8	A. Q. A.	Moore - April 28, 2025 Yes, sir. And it was aboard the vessel?	1 2	interviewed	Moore - April 28, 2025 later by Zoom via Zoom?
2 3 4 5 6	Q.	Yes, sir.	2	interviewed	-
3 4 5 6 7	Q.	·		interviewed	later by Zoom via Zoom?
4 5 6 7	-	And it was aboard the vessel?			
5 6 7	A.		3	A.	Yes.
6		Yep.	4	Q.	Were you present for that?
7	Q.	Like in the galley or	5	A.	No.
	A.	In the wheelhouse.	6	Q.	Who, to your knowledge, was present for
8	Q.	Oh, in the wheelhouse?	7	that?	
•	A.	Yes, sir.	8	A.	I don't know off the top of my head.
9	Q.	And who all was present?	9	Q.	Did Mr. Baldassare ever report being
10	A.	It was the gentleman from NTSB; and then	10	present for	it?
11 t	there was t	hree people, via Teams or Zoom, from Coast	11	A.	No.
12 G	Guard secto	r Norfolk; and then it was individually a	12	Q.	And did they interview Mr. Morrissey
13 d	different c	ounsel before Clyde Co.	13	while he was	s at home or, you know, something like
14		MR. RODGERS: For Carver?	14	that?	
15		THE WITNESS: Yes.	15	A.	I don't I don't know where he was.
16	A.	Our Carver our counsel, and then the	16	Q.	All these interviews that happened in
17 i	individuals	being interviewed.	17	-	on the same day?
18	Q.	So Mr. Abel, an attorney in Norfolk,	18	Α.	Yes.
19 V	-	as present for those interviews?	19	Q.	Would that have been June 25th of 2024?
20	Α.	Yes, sir.	20	Α.	I would have to look up to see when the
21	0.	And were all five crew members	21		d. I don't know exactly.
	~	by the Coast Guard?	22	Q.	Was Mr. Meyerrose aboard the vessel that
23	A.	I don't recall all five being	23	day?	
		. I believe they did Captain Chris	24	αα _γ . λ.	He was also aboard the vessel, because
	they cor		25		s just free, and he was on board to do a
	calcy cor	1001011		ciic boac was	b jube 1100, and he was on source to as a
1		Page 24 Moore - April 28, 2025	7 1		Page 249 Moore - April 28, 2025
2		They did everybody who was on board.	2	survey of th	- · · · · · · · · · · · · · · · · · · ·
	Jantain Mor	rissey was already off, because the NTSB	3	O.	That day?
	_	a couple days later, and I believe they	4	Ų. A.	Yes, sir.
		Teams or Zoom, whatever it was,	5	Q.	Okay. And had you hired him to do a
		But I was not there for that one.	6	~	Okay. And had you hired him to do a
7			7	survey?	Yes.
	Q.	So there was a person from the National		A.	
		ion Safety Board present in person for	8	Q.	It wasn't Mr. Able that hired him?
	those inter		9	A.	No, but it went through me, but I don't
10	A.	Yes, sir.	10		t was suggested by Mr. Able or not.
11	Q.	All right. And you were there?	11	Q.	What was the purpose of having the
12	A.	Yes, sir.	12	vessel surve	-
13	Q.	Was Mr. Baldassare there?	13	Α.	Inspected for damage.
14	Α.	I don't recall if he was.	14	Q.	Not to value the vessel?
15	Q.	And you said Mr. Able was there,	15	Α.	I believe they also did a condition
	=	Abel, correct?	16		e vessel, too.
17	A.	Yes.	17	Q.	So just to be clear, then, when did you
18	Q.	And then who was actually interviewed	18		arn that Morrissey said he was in auto
	among the c	rew members in person on that occasion?	19	_	id not switch over to non-followup hand
20	A.	Captain Chris Miller, AB Jarkeis	20	_	ven though he thought he did? When did
	Morrissey,	able-bodied Sharif Porter, and Engineer	21	you learn th	hat?
21 M	Jason McGra	th.	22	A.	I don't remember exactly when. No, I
21 M			1		
21 M	Q.	So everybody but Captain Morrissey?	23	don't rememb	ber exactly when, if it was Captain Chris
21 M 22 J	Q. A.	So everybody but Captain Morrissey? Yes, sir.	23 24		ber exactly when, if it was Captain Chris re James Morrissey was. Because James

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			Aprii 28, 2025
1	Page 250 Moore - April 28, 2025	1	Page 252 Moore - April 28, 2025
2	But I don't recall if the interview was	2	A. Right.
3	with James also that day or if it was separate a	3	Q. He was down in the rack, right?
4	separate day.	4	A. Correct.
5	Q. So you never since you didn't attend	5	Q. So in the block 25B, in this exhibit,
6	that interview, you never heard him say that, right?	6	page 112
7	MR. RODGERS: Objection to form.	7	A. Yep.
8	A. I'm it's over a year almost a year	8	Q the first sentence says The OOW
9	ago. I'm trying to remember exactly what was	9	officer of the watch, right?
10	happening. There was a lot going on at that time. I	10	A. Yes, sir.
11	don't remember exactly who, what, where, why of that	11	Q had failed to properly switch to hand
12	one. It would but it would have to reference the	12	steering and also gave minimal engine orders at first
13	NTSB transcript.	13	in order to prevent further headway of a course
14	Q. And do you have a copy of it?	14	change.
15	A. No, sir.	15	So how do you know that he gave minimal
16	Q. You do?	16	engine orders at first?
17	A. No, sir, I said.	17	A. Because that must have also been so
18	Q. So this is what I'm trying to	18	then recollection of it would have been of me
19	understand. If Morrissey wasn't interviewed that day	19	being with him on that in Teams meeting, because
20	and you didn't attend Morrissey's interview, how is	20	that's what I remember of that, of what he of he
21	it that you knew to state that Morrissey was in auto	21	said.
22	pilot and didn't switch over to non-followup hand	22	First it was initial, I started to
23	steering but thought he did?	23	throttle back a little bit, and then went to stern.
24	MR. RODGERS: Objection. And just to be	24	Q. How do you give engine orders from the
25	clear, I thought he said Morrissey was	25	wheelhouse or the upper pilot house on that tug?
22	cical, i chought he said horrissey was	40	
1	Page 251	1	Page 253
1	Moore - April 28, 2025	1	Page 253 Moore - April 28, 2025
2	Moore - April 28, 2025 interviewed by Teams or Zoom	2	Page 253 Moore - April 28, 2025 A. It has its own separate connestation up
2 3	Moore - April 28, 2025 interviewed by Teams or Zoom THE WITNESS: Yeah.	2	Page 253 Moore - April 28, 2025 A. It has its own separate connestation up there as well.
2 3 4	Moore - April 28, 2025 interviewed by Teams or Zoom THE WITNESS: Yeah. MR. RODGERS: that day.	2 3 4	Page 253 Moore - April 28, 2025 A. It has its own separate connestation up there as well. Q. Yeah.
2 3 4 5	Moore - April 28, 2025 interviewed by Teams or Zoom THE WITNESS: Yeah. MR. RODGERS: that day. MR. CHAPMAN: Well, don't put words in	2 3 4 5	Page 253 Moore - April 28, 2025 A. It has its own separate connestation up there as well. Q. Yeah. So he has engine control
2 3 4 5 6	Moore - April 28, 2025 interviewed by Teams or Zoom THE WITNESS: Yeah. MR. RODGERS: that day. MR. CHAPMAN: Well, don't put words in his mouth, okay? Don't put words in his mouth.	2 3 4 5 6	Page 253 Moore - April 28, 2025 A. It has its own separate connestation up there as well. Q. Yeah. So he has engine control A. Yes, sir.
2 3 4 5 6 7	Moore - April 28, 2025 interviewed by Teams or Zoom THE WITNESS: Yeah. MR. RODGERS: that day. MR. CHAPMAN: Well, don't put words in his mouth, okay? Don't put words in his mouth. MR. RODGERS: No, it's what I heard him	2 3 4 5 6	Page 253 Moore - April 28, 2025 A. It has its own separate connestation up there as well. Q. Yeah. So he has engine control A. Yes, sir. Q up in that station?
2 3 4 5 6 7 8	Moore - April 28, 2025 interviewed by Teams or Zoom THE WITNESS: Yeah. MR. RODGERS: that day. MR. CHAPMAN: Well, don't put words in his mouth, okay? Don't put words in his mouth. MR. RODGERS: No, it's what I heard him testify to. You're putting words into his	2 3 4 5 6 7 8	Page 253 Moore - April 28, 2025 A. It has its own separate connestation up there as well. Q. Yeah. So he has engine control A. Yes, sir. Q up in that station? A. Yep.
2 3 4 5 6 7 8 9	Moore - April 28, 2025 interviewed by Teams or Zoom THE WITNESS: Yeah. MR. RODGERS: that day. MR. CHAPMAN: Well, don't put words in his mouth, okay? Don't put words in his mouth. MR. RODGERS: No, it's what I heard him testify to. You're putting words into his mouth.	2 3 4 5 6 7 8	Page 253 Moore - April 28, 2025 A. It has its own separate connestation up there as well. Q. Yeah. So he has engine control A. Yes, sir. Q up in that station? A. Yep. Q. He doesn't have to inform the engineer
2 3 4 5 6 7 8 9	Moore - April 28, 2025 interviewed by Teams or Zoom THE WITNESS: Yeah. MR. RODGERS: that day. MR. CHAPMAN: Well, don't put words in his mouth, okay? Don't put words in his mouth. MR. RODGERS: No, it's what I heard him testify to. You're putting words into his mouth. THE WITNESS: Right. So	2 3 4 5 6 7 8 9	Page 253 Moore - April 28, 2025 A. It has its own separate connestation up there as well. Q. Yeah. So he has engine control A. Yes, sir. Q up in that station? A. Yep. Q. He doesn't have to inform the engineer to do anything in the engine space, right?
2 3 4 5 6 7 8 9 10	Moore - April 28, 2025 interviewed by Teams or Zoom THE WITNESS: Yeah. MR. RODGERS: that day. MR. CHAPMAN: Well, don't put words in his mouth, okay? Don't put words in his mouth. MR. RODGERS: No, it's what I heard him testify to. You're putting words into his mouth. THE WITNESS: Right. So MR. RODGERS: You're saying he wasn't	2 3 4 5 6 7 8 9 10 11	Page 253 Moore - April 28, 2025 A. It has its own separate connestation up there as well. Q. Yeah. So he has engine control A. Yes, sir. Q up in that station? A. Yep. Q. He doesn't have to inform the engineer to do anything in the engine space, right? A. No.
2 3 4 5 6 7 8 9 10 11 12	Moore - April 28, 2025 interviewed by Teams or Zoom THE WITNESS: Yeah. MR. RODGERS: that day. MR. CHAPMAN: Well, don't put words in his mouth, okay? Don't put words in his mouth. MR. RODGERS: No, it's what I heard him testify to. You're putting words into his mouth. THE WITNESS: Right. So MR. RODGERS: You're saying he wasn't interviewed. He said he was. Can we clear it	2 3 4 5 6 7 8 9 10 11	Page 253 Moore - April 28, 2025 A. It has its own separate connestation up there as well. Q. Yeah. So he has engine control A. Yes, sir. Q up in that station? A. Yep. Q. He doesn't have to inform the engineer to do anything in the engine space, right? A. No. Q. So when you say he gave minimal engine
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2 3 4 5 6 7 8 9 10 11 12 13 14	Moore - April 28, 2025 interviewed by Teams or Zoom THE WITNESS: Yeah. MR. RODGERS: that day. MR. CHAPMAN: Well, don't put words in his mouth, okay? Don't put words in his mouth. MR. RODGERS: No, it's what I heard him testify to. You're putting words into his mouth. THE WITNESS: Right. So MR. RODGERS: You're saying he wasn't interviewed. He said he was. Can we clear it up one way or the other. A. The clarification is I don't remember	2 3 4 5 6 7 8 9 10 11 12 13	Page 253 Moore - April 28, 2025 A. It has its own separate connestation up there as well. Q. Yeah. So he has engine control A. Yes, sir. Q up in that station? A. Yep. Q. He doesn't have to inform the engineer to do anything in the engine space, right? A. No. Q. So when you say he gave minimal engine orders, what does that mean? A. From whatever speed he was at, to not
2 3 4 5 6 7 8 9 10 11 12 13 14 15	Moore - April 28, 2025 interviewed by Teams or Zoom THE WITNESS: Yeah. MR. RODGERS: that day. MR. CHAPMAN: Well, don't put words in his mouth, okay? Don't put words in his mouth. MR. RODGERS: No, it's what I heard him testify to. You're putting words into his mouth. THE WITNESS: Right. So MR. RODGERS: You're saying he wasn't interviewed. He said he was. Can we clear it up one way or the other. A. The clarification is I don't remember exactly who was where during that. It was obviously	2 3 4 5 6 7 8 9 10 11 12 13 14	Page 253 Moore - April 28, 2025 A. It has its own separate connestation up there as well. Q. Yeah. So he has engine control A. Yes, sir. Q up in that station? A. Yep. Q. He doesn't have to inform the engineer to do anything in the engine space, right? A. No. Q. So when you say he gave minimal engine orders, what does that mean? A. From whatever speed he was at, to not he didn't go from there to full stern.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Moore - April 28, 2025 interviewed by Teams or Zoom THE WITNESS: Yeah. MR. RODGERS: that day. MR. CHAPMAN: Well, don't put words in his mouth, okay? Don't put words in his mouth. MR. RODGERS: No, it's what I heard him testify to. You're putting words into his mouth. THE WITNESS: Right. So MR. RODGERS: You're saying he wasn't interviewed. He said he was. Can we clear it up one way or the other. A. The clarification is I don't remember exactly who was where during that. It was obviously a long day of that, too. So I don't remember exactly	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Page 253 Moore - April 28, 2025 A. It has its own separate connestation up there as well. Q. Yeah. So he has engine control A. Yes, sir. Q up in that station? A. Yep. Q. He doesn't have to inform the engineer to do anything in the engine space, right? A. No. Q. So when you say he gave minimal engine orders, what does that mean? A. From whatever speed he was at, to not he didn't go from there to full stern. Q. So in the second sentence in block 25B,
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				April 28, 2025
1		Page 25		Page 256
1	_	Moore - April 28, 2025	1	Moore - April 28, 2025
2	Α.	I don't remember the process.	2	A. No. Nothing directed. Didn't have
3	Q.	All right.	3	counsel in it or the Coast Guard, I believe.
4	0	(Discussion held off the record.)	4	Q. All right. Do you still have those
5	Q.	So on the 2692-B that was completed by	5	e-mails?
6		are, it looks like signed by him on	6	A. Yes.
7	chemical te	this is the report of the mandatory	'	Q. In the report of mandatory chemical
8 9	A.	Yes.	8	testing of 2692-B, page 1114, none of the blocks in No. 4 are checked.
10	А. О.	following a serious marine incident,	10	
11	. ~	for owing a serious marine incidenc,	110	Do you know why? A. I do not know why.
12	right?	And this reflects that all five members	12	_ -
13	of the grow	held Coast Guard credentials, right	13	Q. Do you know if one was ever completed that was checked, those blocks were checked?
14	A.	Yes.	14	A. I do not know.
15	Q.	in Section 3, block 5?	15	Q. And then if you turn to page 116, this
16	Q.	And then in block 6, no one was no	16	is the 2692-A Barge Addendum?
17	one underwe	nt a drug test urine sampling within	17	A. Yes, sir.
18		the incident, correct?	18	Q. Do you know who completed this report?
19	A.	Correct.	19	A. I also believe it was Lenny.
20	0.	And no one was tested for alcohol within	20	0. All right. It describes the extent of
21	~	f the incident, correct?	21	the property damage in block 3K
22	A.	Correct.	22	A. Yes, sir.
23	0.	And in block 7, did Mr. Baldassare	23	Q or next to 3K. Displacement of Belt
24	~	he reported in that section before	24	Line Bridge support structure.
25		this report to the Coast Guard?	25	You think Mr. Baldassare told them that?
	2000000	cally report to one codes cadra.		
1		Page 25		Page 257
1	a	Moore - April 28, 2025	1	Page 257 Moore - April 28, 2025
2	Α.	Moore - April 28, 2025 I would believe so.	1 2	Page 257 Moore - April 28, 2025 MR. RODGERS: Objection. Calls for
2 3		Moore - April 28, 2025 I would believe so. MR. RODGERS: Don't guess.	1 2 3	Moore - April 28, 2025 MR. RODGERS: Objection. Calls for speculation.
2 3 4	A.	Moore - April 28, 2025 I would believe so. MR. RODGERS: Don't guess. No. So then no, I didn't I didn't	1 2 3 4	Moore - April 28, 2025 MR. RODGERS: Objection. Calls for speculation. A. This would have been submitted. It's
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	A. type this u would have Q. though? he sa Q. I'm sorry. A. running thi was all in Q. Lieutenant	Moore - April 28, 2025 I would believe so. MR. RODGERS: Don't guess. No. So then no, I didn't I didn't p or review it, so I don't know what he done. You're saying he didn't run it by you, MR. RODGERS: Objection. I don't think id that. Well, if he did, you can correct me. I No, it's right. I don't recall him s by me for this one, because I believe it that same Coast Guard e-mail thread. Did you e-mail with anybody besides	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Moore - April 28, 2025 MR. RODGERS: Objection. Calls for speculation. A. This would have been submitted. It's Q. I can't find a date on it, so I don't know when it was submitted. A. No, it's true. There's no date on it, but it this would also be in that e-mail thread with the Coast Guard. It was probably a request by Lieutenant to submit this one as well. Q. Okay. MR. CHAPMAN: I think this is 20. (Exhibit 20, Daily Engine Room Logs, marked for identification, as of this date.) THE VIDEOGRAPHER: We are going off the record. The time is 5:06 p.m. (Discussion off the record.)
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A. type this u would have Q. though? he sa Q. I'm sorry. A. running thi was all in Q. Lieutenant incident?	Moore - April 28, 2025 I would believe so. MR. RODGERS: Don't guess. No. So then no, I didn't I didn't por review it, so I don't know what he done. You're saying he didn't run it by you, MR. RODGERS: Objection. I don't think id that. Well, if he did, you can correct me. I No, it's right. I don't recall him s by me for this one, because I believe it that same Coast Guard e-mail thread. Did you e-mail with anybody besides Palomba at the Coast Guard regarding this	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Moore - April 28, 2025 MR. RODGERS: Objection. Calls for speculation. A. This would have been submitted. It's Q. I can't find a date on it, so I don't know when it was submitted. A. No, it's true. There's no date on it, but it this would also be in that e-mail thread with the Coast Guard. It was probably a request by Lieutenant to submit this one as well. Q. Okay. MR. CHAPMAN: I think this is 20. (Exhibit 20, Daily Engine Room Logs, marked for identification, as of this date.) THE VIDEOGRAPHER: We are going off the record. The time is 5:06 p.m. (Discussion off the record.) THE VIDEOGRAPHER: Beginning Media No.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A. type this u would have Q. though? he sa Q. I'm sorry. A. running thi was all in Q. Lieutenant incident? A.	Moore - April 28, 2025 I would believe so. MR. RODGERS: Don't guess. No. So then no, I didn't I didn't por review it, so I don't know what he done. You're saying he didn't run it by you, MR. RODGERS: Objection. I don't think id that. Well, if he did, you can correct me. I No, it's right. I don't recall him s by me for this one, because I believe it that same Coast Guard e-mail thread. Did you e-mail with anybody besides Palomba at the Coast Guard regarding this	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	Page 257 Moore - April 28, 2025 MR. RODGERS: Objection. Calls for speculation. A. This would have been submitted. It's Q. I can't find a date on it, so I don't know when it was submitted. A. No, it's true. There's no date on it, but it this would also be in that e-mail thread with the Coast Guard. It was probably a request by Lieutenant to submit this one as well. Q. Okay. MR. CHAPMAN: I think this is 20. (Exhibit 20, Daily Engine Room Logs, marked for identification, as of this date.) THE VIDEOGRAPHER: We are going off the record. The time is 5:06 p.m. (Discussion off the record.) THE VIDEOGRAPHER: Beginning Media No. 5. We are back on the record. The time is 5:17
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A. type this u would have Q. though? he sa Q. I'm sorry. A. running thi was all in Q. Lieutenant incident? A. involved wi Q.	Moore - April 28, 2025 I would believe so. MR. RODGERS: Don't guess. No. So then no, I didn't I didn't p or review it, so I don't know what he done. You're saying he didn't run it by you, MR. RODGERS: Objection. I don't think id that. Well, if he did, you can correct me. I No, it's right. I don't recall him s by me for this one, because I believe it that same Coast Guard e-mail thread. Did you e-mail with anybody besides Palomba at the Coast Guard regarding this Nobody separately that she wasn't th.	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Moore - April 28, 2025 MR. RODGERS: Objection. Calls for speculation. A. This would have been submitted. It's Q. I can't find a date on it, so I don't know when it was submitted. A. No, it's true. There's no date on it, but it this would also be in that e-mail thread with the Coast Guard. It was probably a request by Lieutenant to submit this one as well. Q. Okay. MR. CHAPMAN: I think this is 20. (Exhibit 20, Daily Engine Room Logs, marked for identification, as of this date.) THE VIDEOGRAPHER: We are going off the record. The time is 5:06 p.m. (Discussion off the record.) THE VIDEOGRAPHER: Beginning Media No. 5. We are back on the record. The time is 5:17 p.m.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A. type this u would have Q. though? he sa Q. I'm sorry. A. running thi was all in Q. Lieutenant incident? A. involved wi Q. forget the	Moore - April 28, 2025 I would believe so. MR. RODGERS: Don't guess. No. So then no, I didn't I didn't por review it, so I don't know what he done. You're saying he didn't run it by you, MR. RODGERS: Objection. I don't think id that. Well, if he did, you can correct me. I No, it's right. I don't recall him s by me for this one, because I believe it that same Coast Guard e-mail thread. Did you e-mail with anybody besides Palomba at the Coast Guard regarding this Nobody separately that she wasn't th. Did you e-mail separately with the I	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Moore - April 28, 2025 MR. RODGERS: Objection. Calls for speculation. A. This would have been submitted. It's Q. I can't find a date on it, so I don't know when it was submitted. A. No, it's true. There's no date on it, but it this would also be in that e-mail thread with the Coast Guard. It was probably a request by Lieutenant to submit this one as well. Q. Okay. MR. CHAPMAN: I think this is 20. (Exhibit 20, Daily Engine Room Logs, marked for identification, as of this date.) THE VIDEOGRAPHER: We are going off the record. The time is 5:06 p.m. (Discussion off the record.) THE VIDEOGRAPHER: Beginning Media No. 5. We are back on the record. The time is 5:17 p.m. BY MR. CHAPMAN:
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. type this u would have Q. though? he sa Q. I'm sorry. A. running thi was all in Q. Lieutenant incident? A. involved wi Q. forget the	Moore - April 28, 2025 I would believe so. MR. RODGERS: Don't guess. No. So then no, I didn't I didn't p or review it, so I don't know what he done. You're saying he didn't run it by you, MR. RODGERS: Objection. I don't think id that. Well, if he did, you can correct me. I No, it's right. I don't recall him s by me for this one, because I believe it that same Coast Guard e-mail thread. Did you e-mail with anybody besides Palomba at the Coast Guard regarding this Nobody separately that she wasn't th. Did you e-mail separately with the I guy's name, with the National	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Moore - April 28, 2025 MR. RODGERS: Objection. Calls for speculation. A. This would have been submitted. It's Q. I can't find a date on it, so I don't know when it was submitted. A. No, it's true. There's no date on it, but it this would also be in that e-mail thread with the Coast Guard. It was probably a request by Lieutenant to submit this one as well. Q. Okay. MR. CHAPMAN: I think this is 20. (Exhibit 20, Daily Engine Room Logs, marked for identification, as of this date.) THE VIDEOGRAPHER: We are going off the record. The time is 5:06 p.m. (Discussion off the record.) THE VIDEOGRAPHER: Beginning Media No. 5. We are back on the record. The time is 5:17 p.m. BY MR. CHAPMAN: Q. Mr. Moore, you've been handed
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A. type this u would have Q. though? he sa Q. I'm sorry. A. running thi was all in Q. Lieutenant incident? A. involved wi Q. forget the Transportat	Moore - April 28, 2025 I would believe so. MR. RODGERS: Don't guess. No. So then no, I didn't I didn't p or review it, so I don't know what he done. You're saying he didn't run it by you, MR. RODGERS: Objection. I don't think id that. Well, if he did, you can correct me. I No, it's right. I don't recall him s by me for this one, because I believe it that same Coast Guard e-mail thread. Did you e-mail with anybody besides Palomba at the Coast Guard regarding this Nobody separately that she wasn't th. Did you e-mail separately with the I guy's name, with the National ion Safety Board?	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Moore - April 28, 2025 MR. RODGERS: Objection. Calls for speculation. A. This would have been submitted. It's Q. I can't find a date on it, so I don't know when it was submitted. A. No, it's true. There's no date on it, but it this would also be in that e-mail thread with the Coast Guard. It was probably a request by Lieutenant to submit this one as well. Q. Okay. MR. CHAPMAN: I think this is 20. (Exhibit 20, Daily Engine Room Logs, marked for identification, as of this date.) THE VIDEOGRAPHER: We are going off the record. The time is 5:06 p.m. (Discussion off the record.) THE VIDEOGRAPHER: Beginning Media No. 5. We are back on the record. The time is 5:17 p.m. BY MR. CHAPMAN: Q. Mr. Moore, you've been handed Exhibit 20, which I believe is a collection of Daily

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			April 28, 2025
	Page 258		Page 260
1	Moore - April 28, 2025	1	Moore - April 28, 2025
2	They're in this exhibit in the order in	2	Q right?
3	which they were produced, which is Carver 000118	3	Do they also get flagged if they're not
4	through 147, although they're not necessarily all in	4	timely filled out?
5	that kind of right chronological order.	5	A. I believe so correction. They do.
6	A. Yes, sir.	6	Q. So the first several pages cover hours
7	Q. Okay. So just looking at page 1, this	7	on the engine, and then beginning on page 128, and
8	is a report on the hours on the engines or the	8	where it looks to me like those start some separate
9	gensets on the boat, right?	9	report on readings, you know, oil pressure, water
10	A. Yes.	10	system, that sort of thing?
11	Q. Is there a reason that Brandon Kuster	11	A. Yes, sir.
12	would fill this out versus the engineer?	12	Q. That's a separate report though,
13	A. There's a way and it's more of a Helm	13	correct?
14	operating issue, that you if you don't log out, it	14	A. Yes.
15	just keeps you logged in for the entire time.	15	Q. All right. And then if you go to page
16	So it's common a lot of the the crews	16	136, it looks like this is yet another sort of engine
17	will forget to log out when they crew change or	17	room log report. I don't know what the shortening
18	whatever may happen, and there's a separation of	18	actually means, maintenance procedure report?
19	engine room logs versus wheelhouse logs. So a	19	A. I don't know what that is shortened for
20	separate person can be logged in for engineering as	20	either.
21	they can be for wheelhouse logs.	21	Q. Okay. But it's a third engine room log
22	Q. So if I understood what you said,	22	report, correct?
23	McGrath might have filled this out?	23	A. Yes, sir.
24	A. Correct.	24	Q. That all have to be filled out
25	MR. RODGERS: Objection.	25	presumably by the engineer, even though it says
	D 050		P
1	Page 259 Moore - April 28, 2025	1	Moore - April 28, 2025
2	Q. He filled it out as logged in as	2	Mr. Kuster filled them out?
3	Kuster?	3	A. Correct.
4	A. Mistakenly, yes.	4	Q. You wouldn't expect the captain to fill
5	Q. Okay. Is there any way to know who	5	those reports out, would you?
6	actually filled it out, then?	6	A. No, sir.
7	A. We can you would look at Brandon	7	Q. All right.
8	Kuster, if he was assigned to a different vessel	8	MR. CHAPMAN: Mark this 21, please.
9	somewhere else in the payroll.	9	(Exhibit 21, Helm Screenshot, marked for
10	Q. Well, okay.	10	identification, as of this date.)
11	And then it says Inspected, June 13th,	11	Q. You've been handed a one-page exhibit
12	2024, 1503, so then this report was prepared around	12	marked 21, which is Carver 000200, and at the top it
13	three o'clock in the afternoon? See that on page 1?	13	says Screenshot from Helm of Event.
14	A. Yes, that's correct, when they did that.	14	And do you know how this was obtained or
15	Q. And like the daily logs, is this also	15	what we're looking at here?
16	submitted to the company?	16	A. No, sir, I do not.
17	A. Yeah. It is able to be seen by anybody	17	Q. And this is as clear as the copy that I
18	in Helm.	18	got.
19	Q. And is there anybody with sort of	19	A. Right. No, I actually do not know this
20	specific responsibility for reviewing these as	20	one.
21	they're they come into the company?	21	Q. So I can read. In the middle there it
22	A. No.	22	says Mate James Morrissey reports the auto pilot was
23	Q. But anybody who has access to Helm could	23	not completely turned off. He was able to correct
دے			and switch back over to hand steering and began
24			
24 25	look at them A. Yes, sir.	24	backing on the Weeks 281 barge and maneuvered the

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	Page 262		Aprii 28, 2023
1	Moore - April 28, 2025	1	Moore - April 28, 2025
2	barge alongside fendering on the north, and PBL	2	A. Yes.
3	railroad bridge. Photo taken. Proceeds slowly away	3	Q right?
4	from the bridge.	4	Is this the same data that is then
5	So I can't really tell, but it looks	5	entered into that Helm record?
6	like it might have been Captain Miller, Christopher	6	A. I would I don't know exactly if it's
7	Miller	7	the day of or prior day of. I would have to look at
8	A. Yes, sir.	8	it.
9	Q that prepared this.	9	Q. So the whole book, all 365 pages, is
10	I mean, is this available in some other	10	somewhere, right?
11	view where you could actually read the whole thing	11	A. Yes.
12	and understand all the details?	12	Q. Do you know where?
13	A. I don't know. I wouldn't know how to	13	A. No.
14	access this.	14	Q. Is it your practice to take them off the
15	Q. Okay.	15	boat when there's a new year and store them
16	A. It's hard to reference.	16	somewhere?
17	Q. So it says that the time is 1530 on	17	A. We don't necessarily store them, because
18	June 15, 2024.	18	they're not really a required you know, it would
19	You see that?	19	be similar to like a notepad being stored in the
20	A. Yes, sir.	20	wheelhouse, that you would write notes and comments
21	Q. So do you know what is that the time	21	and positions down. So not necessarily. Now of the
22	that it was entered or is that like what is that?	22	fact that because we have the digital logs.
23	A. I could not tell you.	23	Q. Do you recall being asked to keep it for
24	Q. Are there any attachments?	24	any reason?
25	A. It looks like zero attachments.	25	A. I don't recall exactly being asked to
			•
1	Page 263		Page 265
	Moore - April 28, 2025	1	Moore - April 28, 2025
2	Moore - April 28, 2025 O. Do you know if this is the screen where	1 2	Moore - April 28, 2025 keep it, but I'm sure we took it off the vessel after
	Q. Do you know if this is the screen where		Moore - April 28, 2025 keep it, but I'm sure we took it off the vessel after the fact.
2	- · · · · · · · · · · · · · · · · · · ·	2	keep it, but I'm sure we took it off the vessel after the fact.
2 3 4	Q. Do you know if this is the screen where an entry would be made? A. I don't know exactly. I don't remember	2 3 4	keep it, but I'm sure we took it off the vessel after the fact. Q. All right. These are pages that were
2 3	Q. Do you know if this is the screen where an entry would be made? A. I don't know exactly. I don't remember what the entry screens would look like.	2	keep it, but I'm sure we took it off the vessel after the fact.
2 3 4 5	Q. Do you know if this is the screen where an entry would be made? A. I don't know exactly. I don't remember what the entry screens would look like. Q. Okay. It looks like there's a drop-down	2 3 4 5 6	keep it, but I'm sure we took it off the vessel after the fact. Q. All right. These are pages that were photocopied from it, though? A. Yes.
2 3 4 5 6	Q. Do you know if this is the screen where an entry would be made? A. I don't know exactly. I don't remember what the entry screens would look like. Q. Okay. It looks like there's a drop-down selection box where it says Incident?	2 3 4 5	<pre>keep it, but I'm sure we took it off the vessel after the fact. Q. All right. These are pages that were photocopied from it, though?</pre>
2 3 4 5 6 7	Q. Do you know if this is the screen where an entry would be made? A. I don't know exactly. I don't remember what the entry screens would look like. Q. Okay. It looks like there's a drop-down selection box where it says Incident? A. Yes, sir.	2 3 4 5 6 7	keep it, but I'm sure we took it off the vessel after the fact. Q. All right. These are pages that were photocopied from it, though? A. Yes. Q. Okay.
2 3 4 5 6 7 8	Q. Do you know if this is the screen where an entry would be made? A. I don't know exactly. I don't remember what the entry screens would look like. Q. Okay. It looks like there's a drop-down selection box where it says Incident?	2 3 4 5 6 7 8	keep it, but I'm sure we took it off the vessel after the fact. Q. All right. These are pages that were photocopied from it, though? A. Yes. Q. Okay. MR. CHAPMAN: Mark that as 23, please.
2 3 4 5 6 7 8 9	Q. Do you know if this is the screen where an entry would be made? A. I don't know exactly. I don't remember what the entry screens would look like. Q. Okay. It looks like there's a drop-down selection box where it says Incident? A. Yes, sir. Q. So do you know what else you can record in here besides an incident?	2 3 4 5 6 7 8	keep it, but I'm sure we took it off the vessel after the fact. Q. All right. These are pages that were photocopied from it, though? A. Yes. Q. Okay. MR. CHAPMAN: Mark that as 23, please. (Exhibit 23, Handwritten Logs, marked for identification, as of this date.)
2 3 4 5 6 7 8 9	Q. Do you know if this is the screen where an entry would be made? A. I don't know exactly. I don't remember what the entry screens would look like. Q. Okay. It looks like there's a drop-down selection box where it says Incident? A. Yes, sir. Q. So do you know what else you can record in here besides an incident?	2 3 4 5 6 7 8 9	keep it, but I'm sure we took it off the vessel after the fact. Q. All right. These are pages that were photocopied from it, though? A. Yes. Q. Okay. MR. CHAPMAN: Mark that as 23, please. (Exhibit 23, Handwritten Logs, marked for identification, as of this date.)
2 3 4 5 6 7 8 9 10 11	Q. Do you know if this is the screen where an entry would be made? A. I don't know exactly. I don't remember what the entry screens would look like. Q. Okay. It looks like there's a drop-down selection box where it says Incident? A. Yes, sir. Q. So do you know what else you can record in here besides an incident? A. No, I don't know off the top of my head.	2 3 4 5 6 7 8 9 10	keep it, but I'm sure we took it off the vessel after the fact. Q. All right. These are pages that were photocopied from it, though? A. Yes. Q. Okay. MR. CHAPMAN: Mark that as 23, please. (Exhibit 23, Handwritten Logs, marked for identification, as of this date.) Q. You've been handed Exhibit 23, and to my
2 3 4 5 6 7 8 9 10 11	Q. Do you know if this is the screen where an entry would be made? A. I don't know exactly. I don't remember what the entry screens would look like. Q. Okay. It looks like there's a drop-down selection box where it says Incident? A. Yes, sir. Q. So do you know what else you can record in here besides an incident? A. No, I don't know off the top of my head. MR. CHAPMAN: Can we mark this as 22.	2 3 4 5 6 7 8 9 10 11 12	keep it, but I'm sure we took it off the vessel after the fact. Q. All right. These are pages that were photocopied from it, though? A. Yes. Q. Okay. MR. CHAPMAN: Mark that as 23, please. (Exhibit 23, Handwritten Logs, marked for identification, as of this date.) Q. You've been handed Exhibit 23, and to my understanding, this is the deck log, the rough deck
2 3 4 5 6 7 8 9 10 11 12	Q. Do you know if this is the screen where an entry would be made? A. I don't know exactly. I don't remember what the entry screens would look like. Q. Okay. It looks like there's a drop-down selection box where it says Incident? A. Yes, sir. Q. So do you know what else you can record in here besides an incident? A. No, I don't know off the top of my head. MR. CHAPMAN: Can we mark this as 22. (Exhibit 22, Handwritten Logs, marked	2 3 4 5 6 7 8 9 10 11 12 13	<pre>keep it, but I'm sure we took it off the vessel after the fact. Q. All right. These are pages that were photocopied from it, though? A. Yes. Q. Okay. MR. CHAPMAN: Mark that as 23, please. (Exhibit 23, Handwritten Logs, marked for identification, as of this date.) Q. You've been handed Exhibit 23, and to my understanding, this is the deck log, the rough deck log</pre>
2 3 4 5 6 7 8 9 10 11 12 13 14	Q. Do you know if this is the screen where an entry would be made? A. I don't know exactly. I don't remember what the entry screens would look like. Q. Okay. It looks like there's a drop-down selection box where it says Incident? A. Yes, sir. Q. So do you know what else you can record in here besides an incident? A. No, I don't know off the top of my head. MR. CHAPMAN: Can we mark this as 22. (Exhibit 22, Handwritten Logs, marked for identification, as of this date.)	2 3 4 5 6 7 8 9 10 11 12 13 14	keep it, but I'm sure we took it off the vessel after the fact. Q. All right. These are pages that were photocopied from it, though? A. Yes. Q. Okay. MR. CHAPMAN: Mark that as 23, please. (Exhibit 23, Handwritten Logs, marked for identification, as of this date.) Q. You've been handed Exhibit 23, and to my understanding, this is the deck log, the rough deck log A. Yes, sir.
2 3 4 5 6 7 8 9 10 11 12 13 14 15	Q. Do you know if this is the screen where an entry would be made? A. I don't know exactly. I don't remember what the entry screens would look like. Q. Okay. It looks like there's a drop-down selection box where it says Incident? A. Yes, sir. Q. So do you know what else you can record in here besides an incident? A. No, I don't know off the top of my head. MR. CHAPMAN: Can we mark this as 22. (Exhibit 22, Handwritten Logs, marked for identification, as of this date.) THE WITNESS: Are these yours?	2 3 4 5 6 7 8 9 10 11 12 13 14	keep it, but I'm sure we took it off the vessel after the fact. Q. All right. These are pages that were photocopied from it, though? A. Yes. Q. Okay. MR. CHAPMAN: Mark that as 23, please. (Exhibit 23, Handwritten Logs, marked for identification, as of this date.) Q. You've been handed Exhibit 23, and to my understanding, this is the deck log, the rough deck log A. Yes, sir. Q from the MACKENZIE ROSE, covering
2 3 4 5 6 7 8 9 10 11 12 13 14 15	Q. Do you know if this is the screen where an entry would be made? A. I don't know exactly. I don't remember what the entry screens would look like. Q. Okay. It looks like there's a drop-down selection box where it says Incident? A. Yes, sir. Q. So do you know what else you can record in here besides an incident? A. No, I don't know off the top of my head. MR. CHAPMAN: Can we mark this as 22. (Exhibit 22, Handwritten Logs, marked for identification, as of this date.) THE WITNESS: Are these yours? MR. CHAPMAN: Yeah.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	keep it, but I'm sure we took it off the vessel after the fact. Q. All right. These are pages that were photocopied from it, though? A. Yes. Q. Okay. MR. CHAPMAN: Mark that as 23, please. (Exhibit 23, Handwritten Logs, marked for identification, as of this date.) Q. You've been handed Exhibit 23, and to my understanding, this is the deck log, the rough deck log A. Yes, sir. Q from the MACKENZIE ROSE, covering June 12th through June 16th, 2024
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Q. Do you know if this is the screen where an entry would be made? A. I don't know exactly. I don't remember what the entry screens would look like. Q. Okay. It looks like there's a drop-down selection box where it says Incident? A. Yes, sir. Q. So do you know what else you can record in here besides an incident? A. No, I don't know off the top of my head. MR. CHAPMAN: Can we mark this as 22. (Exhibit 22, Handwritten Logs, marked for identification, as of this date.) THE WITNESS: Are these yours? MR. CHAPMAN: Yeah. THE WITNESS: Thank you.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	keep it, but I'm sure we took it off the vessel after the fact. Q. All right. These are pages that were photocopied from it, though? A. Yes. Q. Okay. MR. CHAPMAN: Mark that as 23, please. (Exhibit 23, Handwritten Logs, marked for identification, as of this date.) Q. You've been handed Exhibit 23, and to my understanding, this is the deck log, the rough deck log A. Yes, sir. Q from the MACKENZIE ROSE, covering June 12th through June 16th, 2024 A. Yes.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Q. Do you know if this is the screen where an entry would be made? A. I don't know exactly. I don't remember what the entry screens would look like. Q. Okay. It looks like there's a drop-down selection box where it says Incident? A. Yes, sir. Q. So do you know what else you can record in here besides an incident? A. No, I don't know off the top of my head. MR. CHAPMAN: Can we mark this as 22. (Exhibit 22, Handwritten Logs, marked for identification, as of this date.) THE WITNESS: Are these yours? MR. CHAPMAN: Yeah. THE WITNESS: Thank you. Q. Mr. Moore, you've been handed	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	keep it, but I'm sure we took it off the vessel after the fact. Q. All right. These are pages that were photocopied from it, though? A. Yes. Q. Okay. MR. CHAPMAN: Mark that as 23, please. (Exhibit 23, Handwritten Logs, marked for identification, as of this date.) Q. You've been handed Exhibit 23, and to my understanding, this is the deck log, the rough deck log A. Yes, sir. Q from the MACKENZIE ROSE, covering June 12th through June 16th, 2024 A. Yes. Q correct?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q. Do you know if this is the screen where an entry would be made? A. I don't know exactly. I don't remember what the entry screens would look like. Q. Okay. It looks like there's a drop-down selection box where it says Incident? A. Yes, sir. Q. So do you know what else you can record in here besides an incident? A. No, I don't know off the top of my head. MR. CHAPMAN: Can we mark this as 22. (Exhibit 22, Handwritten Logs, marked for identification, as of this date.) THE WITNESS: Are these yours? MR. CHAPMAN: Yeah. THE WITNESS: Thank you. Q. Mr. Moore, you've been handed Exhibit 22, which I take to be the Rough Engine Log	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	keep it, but I'm sure we took it off the vessel after the fact. Q. All right. These are pages that were photocopied from it, though? A. Yes. Q. Okay. MR. CHAPMAN: Mark that as 23, please. (Exhibit 23, Handwritten Logs, marked for identification, as of this date.) Q. You've been handed Exhibit 23, and to my understanding, this is the deck log, the rough deck log A. Yes, sir. Q from the MACKENZIE ROSE, covering June 12th through June 16th, 2024 A. Yes. Q correct? A. Correct.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q. Do you know if this is the screen where an entry would be made? A. I don't know exactly. I don't remember what the entry screens would look like. Q. Okay. It looks like there's a drop-down selection box where it says Incident? A. Yes, sir. Q. So do you know what else you can record in here besides an incident? A. No, I don't know off the top of my head. MR. CHAPMAN: Can we mark this as 22. (Exhibit 22, Handwritten Logs, marked for identification, as of this date.) THE WITNESS: Are these yours? MR. CHAPMAN: Yeah. THE WITNESS: Thank you. Q. Mr. Moore, you've been handed Exhibit 22, which I take to be the Rough Engine Log for the MACKENZIE ROSE?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	keep it, but I'm sure we took it off the vessel after the fact. Q. All right. These are pages that were photocopied from it, though? A. Yes. Q. Okay. MR. CHAPMAN: Mark that as 23, please. (Exhibit 23, Handwritten Logs, marked for identification, as of this date.) Q. You've been handed Exhibit 23, and to my understanding, this is the deck log, the rough deck log A. Yes, sir. Q from the MACKENZIE ROSE, covering June 12th through June 16th, 2024 A. Yes. Q correct? A. Correct. Q. Again, same question. Where does the
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q. Do you know if this is the screen where an entry would be made? A. I don't know exactly. I don't remember what the entry screens would look like. Q. Okay. It looks like there's a drop-down selection box where it says Incident? A. Yes, sir. Q. So do you know what else you can record in here besides an incident? A. No, I don't know off the top of my head. MR. CHAPMAN: Can we mark this as 22. (Exhibit 22, Handwritten Logs, marked for identification, as of this date.) THE WITNESS: Are these yours? MR. CHAPMAN: Yeah. THE WITNESS: Thank you. Q. Mr. Moore, you've been handed Exhibit 22, which I take to be the Rough Engine Log for the MACKENZIE ROSE? A. Yes, sir.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	keep it, but I'm sure we took it off the vessel after the fact. Q. All right. These are pages that were photocopied from it, though? A. Yes. Q. Okay. MR. CHAPMAN: Mark that as 23, please. (Exhibit 23, Handwritten Logs, marked for identification, as of this date.) Q. You've been handed Exhibit 23, and to my understanding, this is the deck log, the rough deck log A. Yes, sir. Q from the MACKENZIE ROSE, covering June 12th through June 16th, 2024 A. Yes. Q correct? A. Correct. Q. Again, same question. Where does the book with all 365 pages in it go?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q. Do you know if this is the screen where an entry would be made? A. I don't know exactly. I don't remember what the entry screens would look like. Q. Okay. It looks like there's a drop-down selection box where it says Incident? A. Yes, sir. Q. So do you know what else you can record in here besides an incident? A. No, I don't know off the top of my head. MR. CHAPMAN: Can we mark this as 22. (Exhibit 22, Handwritten Logs, marked for identification, as of this date.) THE WITNESS: Are these yours? MR. CHAPMAN: Yeah. THE WITNESS: Thank you. Q. Mr. Moore, you've been handed Exhibit 22, which I take to be the Rough Engine Log for the MACKENZIE ROSE? A. Yes, sir. Q. It doesn't say MACKENZIE ROSE on it	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	keep it, but I'm sure we took it off the vessel after the fact. Q. All right. These are pages that were photocopied from it, though? A. Yes. Q. Okay. MR. CHAPMAN: Mark that as 23, please. (Exhibit 23, Handwritten Logs, marked for identification, as of this date.) Q. You've been handed Exhibit 23, and to my understanding, this is the deck log, the rough deck log A. Yes, sir. Q from the MACKENZIE ROSE, covering June 12th through June 16th, 2024 A. Yes. Q correct? A. Correct. Q. Again, same question. Where does the book with all 365 pages in it go? A. I don't know where it is currently, but
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Q. Do you know if this is the screen where an entry would be made? A. I don't know exactly. I don't remember what the entry screens would look like. Q. Okay. It looks like there's a drop-down selection box where it says Incident? A. Yes, sir. Q. So do you know what else you can record in here besides an incident? A. No, I don't know off the top of my head. MR. CHAPMAN: Can we mark this as 22. (Exhibit 22, Handwritten Logs, marked for identification, as of this date.) THE WITNESS: Are these yours? MR. CHAPMAN: Yeah. THE WITNESS: Thank you. Q. Mr. Moore, you've been handed Exhibit 22, which I take to be the Rough Engine Log for the MACKENZIE ROSE? A. Yes, sir. Q. It doesn't say MACKENZIE ROSE on it anywhere, but it looks like one of those journal-type	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	keep it, but I'm sure we took it off the vessel after the fact. Q. All right. These are pages that were photocopied from it, though? A. Yes. Q. Okay. MR. CHAPMAN: Mark that as 23, please. (Exhibit 23, Handwritten Logs, marked for identification, as of this date.) Q. You've been handed Exhibit 23, and to my understanding, this is the deck log, the rough deck log A. Yes, sir. Q from the MACKENZIE ROSE, covering June 12th through June 16th, 2024 A. Yes. Q correct? A. Correct. Q. Again, same question. Where does the book with all 365 pages in it go? A. I don't know where it is currently, but I believe we took it off the vessel.

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1	Page 266 Moore - April 28, 2025	1	Page 268 Moore - April 28, 2025
2	A. I don't recall.	2	Now, that entry doesn't show up in the
3	Q. So if you could turn to page 242 in the	3	Helm system, does it?
4	exhibit.	4	A. No.
5	Do you know whose handwriting is whose?	5	Q. But it's here in the rough log?
6	A. I do not.	6	A. Yes.
7	Q. It would have been either Morrissey or	7	Q. When did you get a copy of this rough
8	Miller, right?	8	log?
9	A. I believe so.	9	A. Not until well after the fact.
10	Q. So it I'm not really sure how this	10	O. You didn't ask the folks in the boat to
11	it looks to me like some of the time stamps might be	11	photocopy it or take a picture of it and send it to
12	cut off over on the left-hand side of this page.	12	you?
13	But what looks like 1:30 says Arrive	13	A. No, because we don't utilize the rough
14	light boat at barge. Meet with Brian Hales,	14	logs. Their own personal not sorry,
15	Surveyor.	15	correction. They're not for personal use, but
16	On the Helm log, it says 11:30. That's	16	they're for their guys to write notes down. So when
17	what leads me to believe that maybe the 1 is cut off,	17	they do get squared away, they can safely type it
18	right?	18	into the laptop.
19	A. Right.	19	Q. But they never typed that into the Helm
20	Q. And then the next entry there, it	20	report for June 15th, 2024, did they?
21	says it looks like it says 2, right, two	21	A. No, but not everything that's on here is
22	o'clock	22	an official logbook entry.
23	A. Yes, sir.	23	Q. So when you allide with a bridge, unless
24	Q Brian Hales off tug and barge.	24	it goes into the Helm system, it's just not an
25	Maybe that's noon, but if it was 2 p.m.,	25	official logbook entry?
1	Page 267 Moore - April 28, 2025	1	Moore - April 28, 2025
2	I would assume they would put 1400.	2	MR. RODGERS: Objection.
3	A. I would assume it, but they very well	3	A. They wrote on the logbook entry, they
4	might have.	4	wrote Incident in Helm.
5	Q. Okay. But it says Brian Hales off tug	5	Q. And but they didn't write that the
6	and barge. And then somebody's made the entry Weeks	6	steering went hard over in Helm, did they?
7	281, MACKENZIE ROSE, 14.	7	A. I don't remember.
8	And then there's the next kind of line	8	MR. RODGERS: You have to show it to
9	underneath it written underneath that says Drafts.	9	him.
10	4-foot, 6-inch bow. 5-foot, 0-inch stern, right?	10	Q. And then at 1635, it says Called Brian
11	A. Yes, sir.	11	Moore and Lenny B.
12	Q. Now, you told us earlier that the tug	12	That's Lenny Baldassare, correct?
13	drew 16 feet?	13	A. Yes, sir.
14	A. It was estimated, 15 to 16 feet.	14	Q. To report incident.
15	Q. Okay. Are these tug drafts or barge	15	And then 1650, Multiple calls made
16	drafts, to your reading of it?	16	between management.
17	A. The 14 feet would be the tow draft and	17	Now, would that have been from the
	then the 4-foot, 6 and 5-foot, 0 would be the barge	18	company's phone on the tug?
178			A. I yes. It would have been. It
18	_	10	
19	drafts.	19	-
19 20	<pre>drafts. Q. So she was slightly down at the stern by</pre>	20	should have been, but I can't guarantee the other
19 20 21	<pre>drafts. Q. So she was slightly down at the stern by a few inches, right?</pre>	20 21	should have been, but I can't guarantee the other calls.
19 20 21 22	drafts. Q. So she was slightly down at the stern by a few inches, right? A. Correct.	20 21 22	should have been, but I can't guarantee the other calls. Q. Okay. And then the 1655, Lenny B
19 20 21 22 23	drafts. Q. So she was slightly down at the stern by a few inches, right? A. Correct. Q. Okay. Then it 1630, it says Cocaptain	20 21 22 23	should have been, but I can't guarantee the other calls. Q. Okay. And then the 1655, Lenny B reports that Coast Guard is letting us proceed to
19 20 21 22	drafts. Q. So she was slightly down at the stern by a few inches, right? A. Correct.	20 21 22	should have been, but I can't guarantee the other calls. Q. Okay. And then the 1655, Lenny B

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			April 28, 2025
1 1	Page 270	1	Page 272
1 2	Moore - April 28, 2025	1 2	Moore - April 28, 2025
3	Q. So they've made that as a report in this	3	Exhibit 24, Mr. Moore, which is two pages of what
	log, right?		look like either invoices or repair orders from Ayers
4	A. Yep.	4	Marine Electronics in Chesapeake, Virginia,
5	Q. They don't mention taking any photos of	5	pertaining to the MACKENZIE ROSE, numbered Carver
6	the bridge, though, right?	6	0000249 and 250.
7	A. Nope, note in here.	7	You see that?
8	Q. This logbook, the hard copy we would	8	A. Yes, sir.
9	call it the rough deck log that's provided by the	9	Q. What do these represent?
10	company to the tug, isn't it?	10	A. These are some of the technician reports
11	A. They can request it on their dailies or	11	to work on the auto pilot and some other items as
12	like supplies, requisitions, and then they're just	12	VHF such as VHF radios and a Nema expander, which
13	issued out part of	13	is utilized for syncing of equipments, either GPSs or
14	Q. The company's got a stock of them and	14	computers or VHFs. I don't know exactly what it's
15	provides them	15	for, but I've seen them before.
16	A. No.	16	Q. On page 249, the first page of this
17	Q year over year?	17	exhibit, there's a sort of a description of work
18	A. No, we do not. It would be purchased as	18	performed, and it says Tested and checked all auto
19	per the boats, because not everybody uses it. Some	19	pilot connections. Found auto pilot back on, was at
20	guys will use a simple note sheet or a, you know,	20	120 ohms. I think that's ohms.
21	piece of paper for their daily rough notes.	21	A. That looks like an ohms to me, yes.
22	Q. The company pays for this logbook to be	22	Q. All right. So do you know what it's
23	on the boat, though, right?	23	supposed to be?
24	A. I would have to look at and see if we	24	A. No, sir, I do not.
25	purchased the log.	25	Q. Do you know whether 120 ohms is kind of
	Page 271		Page 273
1	Moore - April 28, 2025	1	Moore - April 28, 2025
2	Q. Who would buy it if the company didn't?	2	like the right
3	A. Purchasing. Oh, the captains or crews.	3	A. I that is far exceeds my knowledge
4	I've done that before in my past when I sailed.	4	of that. I don't know.
5	Q. And would they be reimbursed for it?	5	Q. All right. Do you know what date this
6	 A. If they submitted for it, they would, 	_	
_		6	work was done?
7	but correction. If they submitted for it,	7	work was done? A. The labor hours have it April 3rd, 4th
8	but correction. If they submitted for it, probably not because it's not a regular order, but	7 8	work was done? A. The labor hours have it April 3rd, 4th and April 5th.
8	but correction. If they submitted for it, probably not because it's not a regular order, but lots of guys carry their own personal notebooks for	7 8 9	work was done? A. The labor hours have it April 3rd, 4th and April 5th. Q. And is there a separate invoice that
8 9 10	but correction. If they submitted for it, probably not because it's not a regular order, but lots of guys carry their own personal notebooks for their travels and their history.	7 8 9 10	work was done? A. The labor hours have it April 3rd, 4th and April 5th. Q. And is there a separate invoice that would go with this to sort of document that they
8 9 10 11	but correction. If they submitted for it, probably not because it's not a regular order, but lots of guys carry their own personal notebooks for their travels and their history. Q. So on this logbook, it doesn't like say	7 8 9 10 11	work was done? A. The labor hours have it April 3rd, 4th and April 5th. Q. And is there a separate invoice that would go with this to sort of document that they billed you for it and you paid it?
8 9 10 11 12	but correction. If they submitted for it, probably not because it's not a regular order, but lots of guys carry their own personal notebooks for their travels and their history. Q. So on this logbook, it doesn't like say Carver inside of it or on the cover or	7 8 9 10 11 12	work was done? A. The labor hours have it April 3rd, 4th and April 5th. Q. And is there a separate invoice that would go with this to sort of document that they billed you for it and you paid it? A. Correct. Yes.
8 9 10 11 12 13	but correction. If they submitted for it, probably not because it's not a regular order, but lots of guys carry their own personal notebooks for their travels and their history. Q. So on this logbook, it doesn't like say Carver inside of it or on the cover or A. No, sir.	7 8 9 10 11 12 13	work was done? A. The labor hours have it April 3rd, 4th and April 5th. Q. And is there a separate invoice that would go with this to sort of document that they billed you for it and you paid it? A. Correct. Yes. Q. And how does the company kind of keep
8 9 10 11 12 13 14	but correction. If they submitted for it, probably not because it's not a regular order, but lots of guys carry their own personal notebooks for their travels and their history. Q. So on this logbook, it doesn't like say Carver inside of it or on the cover or A. No, sir. Q. It says Tug MACKENZIE ROSE on it or	7 8 9 10 11 12 13	work was done? A. The labor hours have it April 3rd, 4th and April 5th. Q. And is there a separate invoice that would go with this to sort of document that they billed you for it and you paid it? A. Correct. Yes. Q. And how does the company kind of keep track of that stuff?
8 9 10 11 12 13 14 15	but correction. If they submitted for it, probably not because it's not a regular order, but lots of guys carry their own personal notebooks for their travels and their history. Q. So on this logbook, it doesn't like say Carver inside of it or on the cover or A. No, sir. Q. It says Tug MACKENZIE ROSE on it or something like that?	7 8 9 10 11 12 13 14 15	work was done? A. The labor hours have it April 3rd, 4th and April 5th. Q. And is there a separate invoice that would go with this to sort of document that they billed you for it and you paid it? A. Correct. Yes. Q. And how does the company kind of keep track of that stuff? A. With their accounts payable and
8 9 10 11 12 13 14 15 16	but correction. If they submitted for it, probably not because it's not a regular order, but lots of guys carry their own personal notebooks for their travels and their history. Q. So on this logbook, it doesn't like say Carver inside of it or on the cover or A. No, sir. Q. It says Tug MACKENZIE ROSE on it or something like that? A. I don't know what that one would	7 8 9 10 11 12 13 14 15 16	work was done? A. The labor hours have it April 3rd, 4th and April 5th. Q. And is there a separate invoice that would go with this to sort of document that they billed you for it and you paid it? A. Correct. Yes. Q. And how does the company kind of keep track of that stuff? A. With their accounts payable and receivables team.
8 9 10 11 12 13 14 15 16	but correction. If they submitted for it, probably not because it's not a regular order, but lots of guys carry their own personal notebooks for their travels and their history. Q. So on this logbook, it doesn't like say Carver inside of it or on the cover or A. No, sir. Q. It says Tug MACKENZIE ROSE on it or something like that? A. I don't know what that one would says. They usually just say red journal and it has	7 8 9 10 11 12 13 14 15 16	work was done? A. The labor hours have it April 3rd, 4th and April 5th. Q. And is there a separate invoice that would go with this to sort of document that they billed you for it and you paid it? A. Correct. Yes. Q. And how does the company kind of keep track of that stuff? A. With their accounts payable and receivables team. Q. So this is like a vendor folder for
8 9 10 11 12 13 14 15 16 17	but correction. If they submitted for it, probably not because it's not a regular order, but lots of guys carry their own personal notebooks for their travels and their history. Q. So on this logbook, it doesn't like say Carver inside of it or on the cover or A. No, sir. Q. It says Tug MACKENZIE ROSE on it or something like that? A. I don't know what that one would says. They usually just say red journal and it has the date. 2024, 2025.	7 8 9 10 11 12 13 14 15 16 17	work was done? A. The labor hours have it April 3rd, 4th and April 5th. Q. And is there a separate invoice that would go with this to sort of document that they billed you for it and you paid it? A. Correct. Yes. Q. And how does the company kind of keep track of that stuff? A. With their accounts payable and receivables team. Q. So this is like a vendor folder for Ayers Marine?
8 9 10 11 12 13 14 15 16 17 18	but correction. If they submitted for it, probably not because it's not a regular order, but lots of guys carry their own personal notebooks for their travels and their history. Q. So on this logbook, it doesn't like say Carver inside of it or on the cover or A. No, sir. Q. It says Tug MACKENZIE ROSE on it or something like that? A. I don't know what that one would says. They usually just say red journal and it has the date. 2024, 2025. Q. Okay.	7 8 9 10 11 12 13 14 15 16 17 18	work was done? A. The labor hours have it April 3rd, 4th and April 5th. Q. And is there a separate invoice that would go with this to sort of document that they billed you for it and you paid it? A. Correct. Yes. Q. And how does the company kind of keep track of that stuff? A. With their accounts payable and receivables team. Q. So this is like a vendor folder for Ayers Marine? A. Yes.
8 9 10 11 12 13 14 15 16 17 18 19 20	but correction. If they submitted for it, probably not because it's not a regular order, but lots of guys carry their own personal notebooks for their travels and their history. Q. So on this logbook, it doesn't like say Carver inside of it or on the cover or A. No, sir. Q. It says Tug MACKENZIE ROSE on it or something like that? A. I don't know what that one would says. They usually just say red journal and it has the date. 2024, 2025. Q. Okay. MR. CHAPMAN: Would you mark that as 24,	7 8 9 10 11 12 13 14 15 16 17 18 19	work was done? A. The labor hours have it April 3rd, 4th and April 5th. Q. And is there a separate invoice that would go with this to sort of document that they billed you for it and you paid it? A. Correct. Yes. Q. And how does the company kind of keep track of that stuff? A. With their accounts payable and receivables team. Q. So this is like a vendor folder for Ayers Marine? A. Yes. Q. And then the second page of Exhibit 24
8 9 10 11 12 13 14 15 16 17 18 19 20 21	but correction. If they submitted for it, probably not because it's not a regular order, but lots of guys carry their own personal notebooks for their travels and their history. Q. So on this logbook, it doesn't like say Carver inside of it or on the cover or A. No, sir. Q. It says Tug MACKENZIE ROSE on it or something like that? A. I don't know what that one would says. They usually just say red journal and it has the date. 2024, 2025. Q. Okay. MR. CHAPMAN: Would you mark that as 24, please.	7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	work was done? A. The labor hours have it April 3rd, 4th and April 5th. Q. And is there a separate invoice that would go with this to sort of document that they billed you for it and you paid it? A. Correct. Yes. Q. And how does the company kind of keep track of that stuff? A. With their accounts payable and receivables team. Q. So this is like a vendor folder for Ayers Marine? A. Yes. Q. And then the second page of Exhibit 24 actually has dates in it. It looks like April 10th
8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	but correction. If they submitted for it, probably not because it's not a regular order, but lots of guys carry their own personal notebooks for their travels and their history. Q. So on this logbook, it doesn't like say Carver inside of it or on the cover or A. No, sir. Q. It says Tug MACKENZIE ROSE on it or something like that? A. I don't know what that one would says. They usually just say red journal and it has the date. 2024, 2025. Q. Okay. MR. CHAPMAN: Would you mark that as 24, please. (Exhibit 24, Ayers Marine Electronics	7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	work was done? A. The labor hours have it April 3rd, 4th and April 5th. Q. And is there a separate invoice that would go with this to sort of document that they billed you for it and you paid it? A. Correct. Yes. Q. And how does the company kind of keep track of that stuff? A. With their accounts payable and receivables team. Q. So this is like a vendor folder for Ayers Marine? A. Yes. Q. And then the second page of Exhibit 24 actually has dates in it. It looks like April 10th and 11th
8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	but correction. If they submitted for it, probably not because it's not a regular order, but lots of guys carry their own personal notebooks for their travels and their history. Q. So on this logbook, it doesn't like say Carver inside of it or on the cover or A. No, sir. Q. It says Tug MACKENZIE ROSE on it or something like that? A. I don't know what that one would says. They usually just say red journal and it has the date. 2024, 2025. Q. Okay. MR. CHAPMAN: Would you mark that as 24, please. (Exhibit 24, Ayers Marine Electronics Documents, marked for identification, as of this	7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	work was done? A. The labor hours have it April 3rd, 4th and April 5th. Q. And is there a separate invoice that would go with this to sort of document that they billed you for it and you paid it? A. Correct. Yes. Q. And how does the company kind of keep track of that stuff? A. With their accounts payable and receivables team. Q. So this is like a vendor folder for Ayers Marine? A. Yes. Q. And then the second page of Exhibit 24 actually has dates in it. It looks like April 10th and 11th A. Yes, sir.
8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	but correction. If they submitted for it, probably not because it's not a regular order, but lots of guys carry their own personal notebooks for their travels and their history. Q. So on this logbook, it doesn't like say Carver inside of it or on the cover or A. No, sir. Q. It says Tug MACKENZIE ROSE on it or something like that? A. I don't know what that one would says. They usually just say red journal and it has the date. 2024, 2025. Q. Okay. MR. CHAPMAN: Would you mark that as 24, please. (Exhibit 24, Ayers Marine Electronics	7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	work was done? A. The labor hours have it April 3rd, 4th and April 5th. Q. And is there a separate invoice that would go with this to sort of document that they billed you for it and you paid it? A. Correct. Yes. Q. And how does the company kind of keep track of that stuff? A. With their accounts payable and receivables team. Q. So this is like a vendor folder for Ayers Marine? A. Yes. Q. And then the second page of Exhibit 24 actually has dates in it. It looks like April 10th and 11th

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			April 28, 2025
	Page 274		Page 276
1	Moore - April 28, 2025	1	Moore - April 28, 2025
2	thereabouts or few days later?	2	A. Yes, sir.
3	A. Somewhere in there, yes.	3	Q before the allision with the bridge?
4	Q. And under the work performed, it says	4	A. Yeah. To my knowledge, there was
5	Diagnose complaint that rudder went hard over	5	no additional auto pilot work done before after
6	underway. Checked over steering system. Updated	6	this sorry, correction and after the allision.
7	software in auto pilot. Replace solid state relays	7	Q. Okay.
8	with mechanical ones. May have caused issue.	8	MR. CHAPMAN: So would you mark these as
9	All right. So you know what any of that	9	25, please. Mark this as 25.
10	means?	10	(Exhibit 25, GMT Mackay Marine Invoices,
11	A. Not expertly, I don't know.	11	marked for identification, as of this date.)
12	Q. Okay. So do you know who installed the	12	Q. You've been handed Exhibit 25. You
13	solid state relays?	13	mentioned GMT Mackay as another repair company
14	A. I would have to reference it, but I	14	A. Yes, sir.
15	believe it was GMT/Mackay.	15	Q on your marine electronics.
16	Q. And Ayers decided to replace them with	16	A. Yes, sir.
17	mechanical ones	17	Q. All right. So Exhibit 25 consists of
18	A. Correct.	18	three pages labeled Carver 000251, 252, and 821, just
19	0 right?	19	because the way they were produced to us, but I
20	Now, a little further down, there's	20	believe this is all of the ones that were produced.
21	like a somebody's drawn an arrow, and it looks	21	So can you tell us what GMT Mackay was
22	like it continues below.	22	doing on the MACKENZIE ROSE.
23			_
	See the end, it says near the end, it	23	
24	says Install VPS battery backup on auto pilot. Upper	24	getting ready to pick up some barges, and the it
25	monitor not working. Found one laptop lid was open	25	looks like Lars, or sorry, Christian Nunnaman called
	Page 275		Page 277
1	Moore - April 28, 2025	1	Page 277 Moore - April 28, 2025
2	Moore - April 28, 2025 causing issue.		Moore - April 28, 2025 in a technician, GMT Mackay, and they flew down there
	Moore - April 28, 2025 causing issue. Do you know what they did there?	1	Moore - April 28, 2025 in a technician, GMT Mackay, and they flew down there to get on the vessel to look at their auto pilot, and
2	Moore - April 28, 2025 causing issue.	1 2	Moore - April 28, 2025 in a technician, GMT Mackay, and they flew down there
2 3	Moore - April 28, 2025 causing issue. Do you know what they did there?	1 2 3	Moore - April 28, 2025 in a technician, GMT Mackay, and they flew down there to get on the vessel to look at their auto pilot, and
2 3 4	Moore - April 28, 2025 causing issue. Do you know what they did there? A. No, I do not know what a VPS battery	1 2 3 4	Moore - April 28, 2025 in a technician, GMT Mackay, and they flew down there to get on the vessel to look at their auto pilot, and then some other various items that they swapped out
2 3 4 5	Moore - April 28, 2025 causing issue. Do you know what they did there? A. No, I do not know what a VPS battery backup is.	1 2 3 4 5	Moore - April 28, 2025 in a technician, GMT Mackay, and they flew down there to get on the vessel to look at their auto pilot, and then some other various items that they swapped out as well, too.
2 3 4 5 6	Moore - April 28, 2025 causing issue. Do you know what they did there? A. No, I do not know what a VPS battery backup is. Q. Is a VPS battery backup associated with	1 2 3 4 5 6	Moore - April 28, 2025 in a technician, GMT Mackay, and they flew down there to get on the vessel to look at their auto pilot, and then some other various items that they swapped out as well, too. Q. So looking at the first page of that, it
2 3 4 5 6 7	Moore - April 28, 2025 causing issue. Do you know what they did there? A. No, I do not know what a VPS battery backup is. Q. Is a VPS battery backup associated with the auto pilot?	1 2 3 4 5 6 7	Moore - April 28, 2025 in a technician, GMT Mackay, and they flew down there to get on the vessel to look at their auto pilot, and then some other various items that they swapped out as well, too. Q. So looking at the first page of that, it looks like the invoice is dated December 4th
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	causing issue. Do you know what they did there? A. No, I do not know what a VPS battery backup is. Q. Is a VPS battery backup associated with the auto pilot? A. Correction. I believe it's a UPS Q. UPS, okay. A battery backup, and that is so if you were to lose the main engines or generator, the our battery backups would have allow you technically 24 hours' navigation on certain pieces of equipment. Q. Okay. And then some upper monitor not working. Is that the auto pilot monitor? A. Unlikely. That's most likely the Rose Point monitor. Q. So it sounds like they're still doing some work on the auto pilot, including updating software and replacing some relays, right? A. Yes.	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Moore - April 28, 2025 in a technician, GMT Mackay, and they flew down there to get on the vessel to look at their auto pilot, and then some other various items that they swapped out as well, too. Q. So looking at the first page of that, it looks like the invoice is dated December 4th excuse me, December 5th A. Yes, sir. Q right? And they removed some removed a defective AP50 Simrad auto pilot system, right? A. Yes. Q. So and then they installed two new ones, which looks like they have different series numbers, AP70 MMK2, right? A. Yes. Q. So I guess that's the new and improved version, right? A. Yes, sir. Q. And installing two, does that mean one went in the wheelhouse and the other one went in the upper house?
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			April 28, 2025
	Page 278		Page 280
1	Moore - April 28, 2025	1	Moore - April 28, 2025
2	pilot systems in each house?	2	the problem, but noticed that some lever, the FU-80
3	A. Yeah. There would be no there would	3	FFU lever, had liquid spilled damage.
4	be no real differences between the two.	4	Right?
5	Q. Are they connected in any way?	5	A. Yes, sir.
6	A. I don't know off the top of my head.	6	Q. Do you know what the FU-80 FFU lever is?
7	Q. And is there any indication that they	7	A. I do. It's a full followup lever that
8	installed those solid state relays?	8	looks like a little joy stick on your console that
9	A. I don't know what the relay would do,	9	you would use to steer the vessel.
10	but no, it does not say that on here.	10	Q. So is that related to the non-followup?
11	Q. Okay.	11	A. The non-followup and full followup are
12	A. But I don't know exactly.	12	two separate, independent things.
13	Q. So it's possible they didn't replace any	13	Full followup is when you adjust, the
14	relays and they just reused what was on the boat?	14	lever stays in that rudder angle.
15	MR. RODGERS: Objection to form.	15	Non-followup has a spring return where
16	A. I don't know how I'm not that versed	16	you click it and it comes right back and it will stay
17	in engineering.	17	in that rudder.
18	Q. So who is the guy in Carver that is?	18	So full followup, if you hold it, it
19	A. Well, this is why we hire the	19	will keep going; it will swing with you.
20	technicians out, the as the experts into it.	20	Non-followup always returns to center,
21	Q. So it says it was billed to Mickey	21	but will hold the rudder.
22	Hilton. Who is Mickey Hilton?	22	Q. So if you want to switch over to manual
23	A. Mickey Hilton was a former port engineer	23	steering, do you have to be a non-followup?
24	that was not there when I came there. So I think	24	A. I don't know off the top of my head how
25	it's just in their accounting system as the last	25	that system was set up.
	Page 279		Page 281
1	Moore - April 28, 2025	1	Moore - April 28, 2025
2	Moore - April 28, 2025 known contact.	2	Moore - April 28, 2025 Q. Like every boat's different?
2 3	Moore - April 28, 2025 known contact. Q. All right. So likewise on page 2 of	2 3	Moore - April 28, 2025 Q. Like every boat's different? A. You I would have to look at it,
2 3 4	Moore - April 28, 2025 known contact. Q. All right. So likewise on page 2 of this exhibit, which is numbered 252, it's also	2 3 4	Moore - April 28, 2025 Q. Like every boat's different? A. You I would have to look at it, honestly. It would be it would be auto pilot to
2 3 4 5	Moore - April 28, 2025 known contact. Q. All right. So likewise on page 2 of this exhibit, which is numbered 252, it's also addressed to Mickey Hilton, right	2 3 4 5	Moore - April 28, 2025 Q. Like every boat's different? A. You I would have to look at it, honestly. It would be it would be auto pilot to full followup, and there's specific steps. You just
2 3 4 5 6	Moore - April 28, 2025 known contact. Q. All right. So likewise on page 2 of this exhibit, which is numbered 252, it's also addressed to Mickey Hilton, right A. Yes, sir.	2 3 4 5 6	Moore - April 28, 2025 Q. Like every boat's different? A. You I would have to look at it, honestly. It would be it would be auto pilot to full followup, and there's specific steps. You just switch this off and switch that, but I don't know how
2 3 4 5 6 7	Moore - April 28, 2025 known contact. Q. All right. So likewise on page 2 of this exhibit, which is numbered 252, it's also addressed to Mickey Hilton, right A. Yes, sir. Q billed to Mickey Hilton?	2 3 4 5 6 7	Moore - April 28, 2025 Q. Like every boat's different? A. You I would have to look at it, honestly. It would be it would be auto pilot to full followup, and there's specific steps. You just switch this off and switch that, but I don't know how this one's set up.
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Moore - April 28, 2025 known contact. Q. All right. So likewise on page 2 of this exhibit, which is numbered 252, it's also addressed to Mickey Hilton, right A. Yes, sir. Q billed to Mickey Hilton? Somehow it gets to you or somebody to authorize payment? A. Yes. It goes through A/P, A/R. Q. Okay. You don't have to approve this? A. Yes. Q. You do? A. I would approve it after the fact, and once it comes in through invoicing. Q. All right. So the invoice shows up, you approve it, and then it gets paid? Is that the process, as I understand it? A. Yes. Q. Okay. So this one is dated March 5th of '24, and it looks like it was for some work on March 2nd of '24. A complaint about the auto pilot	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Moore - April 28, 2025 Q. Like every boat's different? A. You I would have to look at it, honestly. It would be it would be auto pilot to full followup, and there's specific steps. You just switch this off and switch that, but I don't know how this one's set up. Q. But there was no prohibition against the captain using the auto pilot system for the transit that they were making before they allided with the bridge, right? MR. RODGERS: Objection to form. You can answer if you understand the question. A. Repeat the question. Q. Yeah. There was no prohibition Carver didn't prohibit the captain from using the auto pilot system in the transit that he was making, you know, down the southern branch of the Elizabeth River before the allision? A. No. It's up to the captain's discretion

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		Page 282	.		April 28, 2023
1		Moore - April 28, 2025	1		Moore - April 28, 2025
2	complaint o	f auto pilot high response.	2	MACKENZIE RO	
3		Do you know what the high response	3	A.	I do not know that as well, if it's
4	refers to?		4	some are spa	ares or they just replaced a couple.
5	A.	No, I do not.	5	_	MR. RODGERS: Don't quess.
6	Q.	So the technician says he checked the	6	A.	Oh, yeah. I don't know, actually.
7	_	settings, showed crew to set up the rudder	7	Q.	I mean, you would expect there to be
8	=	ounter-rudder and set up rudder limits, if	8	two, right?	One for upper house and one for the
9	needed.	,	9	wheelhouse?	
10		Do you know what that means?	10		MR. RODGERS: Objection to form.
11	A.	Not exactly.	11		You can answer.
12	Q.	Sounds like it's related to the	12	Α.	Yeah, there are what each
13	rudder		13	concentration	on has a rudder angle indicator.
14		MR. RODGERS: Objection.	14	Q.	Yeah. So maybe two of them for another
15	Q.	right?	15	boat?	
16	Α.	It's related to the auto pilot.	16	2000.	MR. RODGERS: Objection.
17	Q.	Because the auto pilot controls the	17	Α.	I don't know.
18	rudder?	Figure 200 Contracts Sile	18	Q.	Okay. It sounds like the Simrads were
19		MR. RODGERS: Objection.	19		late 2023, and then there's some work
20	A.	There's no other way to not.	20	-	and Mackay are both doing in 2024
21	Q.	Well, that's what I figured	21	01100 117 0120 0	MR. RODGERS: Objection.
22	Α.	Yeah.	22	Q.	related to the auto pilot system,
23	Q.	you know.	23	correct?	Totaloga do dilo addo Filido S/Sdam,
24	٧.	Your lawyer's objecting. I'm just	24	correct.	MR. RODGERS: Objection to form.
25	trying to u		25	A.	It the invoicing starts on the
					<u>-</u>
1		Page 283 Moore - April 28, 2025	1		Page 285 Moore - April 28, 2025
2	Α.	Right. But I'm not	2	late 2023.	MOOLE APLII 20, 2023
3	Α.	MR. RODGERS: No. You're just putting	3	Q.	And that's
4	words	into this mouth. That's all.	4	ų. A.	But there's different components. They
5	A.	But I'm not a technician, so I don't	5		an just auto pilot, it looks like.
6		rstand what the high response rate and the	6	Q.	Yep. Yeah, I'm not saying it's all
7	-	r-rudder settings are for that system.	7		auto pilot, but some of it clearly is
8	Q.	Okay. So it looks like it says	8		lacing the two auto pilots on the boat,
9	-	and primary tech on both of these pages,	9	-	facing the two auto priots on the boat,
	_	and primary tech on both or these pages,		right?	Corrost
10	Kands.	Is that a person?	10	A.	Correct. In late 122 along with the rudder angle
11 12	7.	Is that a person? I do not know, actually.	11 12	Q. indicators,	In late '23, along with the rudder angle
13	A. Q.	Then the last page of this exhibit is an	13	A.	Yeah. I don't honestly don't know
14	-	ed December 1, 2023. It looks like it's	14		ider angle indicators are for. I don't
15		g some stuff, four rudder angle	15		ey correlate to it, but that is they
16	indicators.		16	were ordered	
17	muncaturs.		17		Okay. And then there's an invoice from
	+0 words	Are those necessary for the auto pilot		Q.	-
18	to work pro	I do not know how they are corollated to	18	=	well as two of them from Ayers, in 2024,
19	A.	I do not know now they are corottated to		_	pril timeframe, related to work on the
20	it.	What I a a middle and a indicate to 11	20	=	system on the MACKENZIE ROSE
21	Q.	What's a rudder angle indicator tell	21	A.	Correct.
1 11	you?	What's where the position where	22	Q.	in response to complaints about it,
22		WHAT'S WHOTE THE MOSITION WHOTE	23	right?	
23	A.		0.4		MD DODGEDG: O'
		position is. And why are four of them required on the	24 25	Α.	MR. RODGERS: Objection to form. I don't know about the complaints on

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1	Page 286 Moore - April 28, 2025	1	Page 288 Moore - April 28, 2025
2	them, but they were replaced for to ensure that	2	Ayers, correct?
3	they worked.	3	A. Correct.
4	Q. Are you saying they were replaced again	4	Q. Okay. Were there any other complaints
5	in 2024?	5	about the auto pilot system after Ayers last worked
6	MR. RODGERS: Objection.	6	on it in April of 2024 and the allision with the
7	A. After Ayers completed their replacements	7	bridge on June 15, 2024?
8	and upgrades, whatever it was needed, I quess, there	8	A. Not that I'm aware of.
9	was no issues after that.	9	MR. CHAPMAN: Would you mark this as 26,
10	Q. Okay. I'm not trying to argue with you,	10	please.
11	but I understood that Mackay replaced them in late	11	(Exhibit 26, 9.2 Near Miss Report,
12	2023	12	marked for identification, as of this date.)
13	MR. RODGERS: Objection.	13	Q. Mr. Moore, you've been handed
14	Q and that Mackay and Ayers then did	14	Exhibit 26, which is Carver 000041 and 42
15	some more work on them in 2024. Mackay in March of	15	A. Yes, sir.
16	2024, and Ayers twice in April of 2024, and that's	16	Q and it looks like a report from your
17	when	17	Helm system called a Near Miss Report
18	MR. RODGERS: Objection to the term	18	A. Yes.
19	replaced.	19	Q right?
20	MR. CHAPMAN: Let me just finish.	20	And the only date that I see on it is
21	0 and that's what those invoices that	21	it says it was approved on May 6th of 2024.
22	we've been looking at as Exhibits 24 and 25 tell us;	22	You see that?
23	is that right?	23	A. Yes, sir.
24	MR. RODGERS: Objection. That you're	24	0. Which is the date that it was received.
25	not asking a question, you're making a	25	Maybe they're the same thing. I don't know. And
Ľ			
1	Page 287 Moore - April 28, 2025	1	Page 289 Moore - April 28, 2025
2	statement, and I object to the term replaced in	2	that it was received by you, right?
3	that context. So why don't you reword it,	3	A. Yes.
4	maybe.	4	Q. So when it's received by you, do you get
5	MR. CHAPMAN: That was a long one.	5	a notification?
6	Q. Do you understand my question?	6	A. No. So I have to go into Helm and
7	A. If you can repeat it.	7	acknowledge the individual near miss reports that the
8	MR. RODGERS: You want to read it over.	8	vessels compile.
9	Q. The Mackay invoices document that the	9	Q. Okay. And
10	two auto pilot systems on the MACKENZIE ROSE were	10	A. But it's not sorry.
11	replaced in late 2023	11	It's not done daily or we it's when I
12	MR. RODGERS: Objection.	12	log into it and get to it.
13	Q right?	13	Q. So it's a you get them because why?
14	A. I don't know exactly when they were	14	You're the general manager or the designated person
15	replaced or the components or what was exactly done.	15	or what?
16	The technicians would have the best understanding of	16	A. Yeah. Because I'm the general manager,
17	that.	17	yep.
18	Q. So can we agree that the invoices	18	Q. Okay. Does anybody else get them?
19	document the work that was done by both Mackay and	19	A. I don't know if anybody else gets it. I
20	Ayers?	20	believe these just come directly to me, but anybody
21	A. Mackay and Ayers definitely did work on	21	else can log into Helm to see them as well.
22	multiple systems, including the auto pilot system.	22	Q. And how often do you log into Helm and
23	Q. Okay. And to the extent there was work	23	check these?
24	on the auto pilot system, those are documented on	24	A. It all depends on how busy I get, and
1			ii. Is all depoined on non busy I yee, and
25	those documents that you received from Mackay and	25	with other things. It's it could be every few

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Page 290 Page 292 Moore - April 28, 2025 Moore - April 28, 2025 weeks. It could be -- I've gone longer before. It 2 this exhibit, which is page 31, at 1235, it says 3 could be -- every couple of days I try to, but 3 there's a near miss report --4 there's been times where it's been much longer. 4 Α. Yes. 5 So this particular one, on May 6th of 5 0. -- right? 6 2024, do you have any memory of when you actually 6 Is this the near miss report that you 7 looked at it? 7 approved or reviewed on May 6th of 2024? 8 8 Α. No, I do not have a memory of that one. I do not know how to line those two up. 9 Do you know whether it was before the 9 MR. RODGERS: Do you have one for me? allision with the bridge? 10 MR. CHAPMAN: Oh, I apologize. I'm 10 11 Well, my received date would be before 11 sorry. Yes, I do. 12 the allision with the bridge. 12 MR. RODGERS: Thanks. 13 I know that. I'm asking you do you have 13 How do you match them up? What's the 0. 14 any memory of when you looked at it; and if so, was 14 process to go through to match them up? 15 it before the allision --15 I do not know, actually. Α. 16 Α. 16 Q. I'm sorry. You what? 17 -- of the MACKENZIE ROSE with the 17 Q. Α. I do not know, actually, how to match 18 Norfolk and Portsmouth Belt Line Bridge? 18 them up. 19 Correction. I do not know when I looked 19 Q. Okay. So this is clearly a near miss 20 at it. 20 report entered by the captain in the Helm system as So in Helm when you look at it, is there 21 shown on Exhibit 27 at 12:35 on May 3rd? Q. 21 22 something that you check that I've read it or 22 Α. Yes. And it -- and also, multiple other 23 something that says I approve it or --23 drills and whatnot for the time before that, and time That would be -- that would be the after. So I don't know if he was just filling out Α. 25 receive date. all the forms in -- all at once and just putting in 25 Page 291 Page 293 1 Moore - April 28, 2025 1 Moore - April 28, 2025 2 Okay. So we're under Section 2 where it 2 information. 3 All right. So I see what I think you're 3 says Office Use Only. Approved on May 6, 2024. Q. saying; about he entered a bunch of drills or 4 That was the date that you actually 4 5 looked at it or is that the date that it just came 5 something like that, right? into the system and you don't know when you looked at 6 Yes, sir. 6 Α. 7 7 it? Okay. But is there a way in the Helm 8 8 A. That was the day that I logged in and system to go in and look at this specific entry on 9 the 3rd of May of 2024 and determine what was 9 acknowledged it, receipt of it. 10 Okay. And was that also the same day it 10 actually reported as a near miss at that time? was received; that is, Captain Miller submitted it I would have to look into it, into Helm. 11 11 12 that date? 12 I'm not familiar how to pull that up. 13 13 A. No, not necessarily. Q. All right. Because there's clearly, as you can see in Exhibit 26, something that you are 14 Q. So how do we know what date Captain 14 15 Miller submitted it? 15 reviewing and approving like three days later, right? 16 I do not know that answer. 16 Α. MR. CHAPMAN: Mark this as 27, please. 17 17 That is a near miss report. And I'm 18 (Exhibit 27, Daily Log, marked for 18 just trying to figure out is there some match up 19 identification, as of this date.) 19 between the two of those? You've been handed Exhibit 27, 20 2.0 A. I would have to look into Helm further. 21 Mr. Moore, which consists of three pages labeled 21 0. Okay. But there's a way to figure that Carver 000030 through 32. 22 22 out in Helm or not? 23 You see that? 23 I honestly do not know. I would have to Α. 24 Α. Yes, sir. 24 look into it. I don't know how to easily navigate And if you look on the second page of 25 through Helm to pull up what he -- historicals.

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Page 294 Page 296 1 Moore - April 28, 2025 1 Moore - April 28, 2025 2 Q. So this -- Captain Miller entered a 2 Q. Okay. So there was no lesson learned as 3 report on the -- some date before you read this on 3 a result of what Captain Miller was reporting? 4 May 6th, according to Exhibit 26, that says while he 4 No, because I would have had Lenny or was transiting southbound and entering information, somebody else call and find out from it before I 5 5 6 the steering went into standby and the rudder came 6 finally approved it. So I don't recall if it was him 7 hard over without alarm. By the time the captain just entering near misses, because we encouraged near 7 realized the situation, we were steaming full ahead misses with all the crews. So I don't know if that's 8 8 9 at the loaded barge. The captain pulled back power 9 an accurate one or if it was the steering pump or if so the rudder would respond and came away from the 10 it was this or that. Like it just is him entering 10 barge with a few feet to spare. The wire dragged on 11 11 all these logs in before and after. I don't know if the bottom and sustained minimal damage. 12 it was an accurate near miss or not. 12 13 That's what Captain Miller submitted, 13 Is there any documentation of your Q. 14 right? 14 contact with Mr. Baldassare related to this near miss 15 15 report? Α. Yes, sir. 16 Q. Okay. So we know -- do you -- in terms 16 A. No. of wire dragging on the bottom, does that mean they 17 0. And is there any indication that any 17 electronic technician or other technician went out to 18 had a tug on the tow wire? 18 19 Α. I don't know how -- you could -- yeah, 19 check out what the captain was reporting about the steering going into standby, rudder coming hard over 20 you would then put the two wires on the bottom of the 20 21 seabed. 21 without alarm? 22 0. Okay. So it looks like he's talking 22 MR. RODGERS: Objection, foundation. 23 about entering a bunch of data into the electronic 23 You can answer if you know. log, and the steering somehow acted up and went hard 24 Not that I know of. Α. 25 over, and no alarm, right? 25 MR. CHAPMAN: Could you mark this as 28, Page 297 Page 295 1 Moore - April 28, 2025 1 Moore - April 28, 2025 2 I don't know if there was an alarm. 2 Α. please. 3 MR. RODGERS: Are you looking at this 3 (Exhibit 28, 9.2 Near Miss Report, marked for identification, as of this date.) 4 4 one? I think you're looking at --5 MR. CHAPMAN: Yeah, Exhibit 26. 5 So this appears to be an -- Exhibit 28 6 When it says under the description of 6 appears to be another near miss report from the Helm 0. 7 7 the near miss, right, Section 1.5? system, right? 8 8 A. Yep. A. Yes, sir. 9 9 Q. And if you could compare this to Q. That's where I'm reading. 10 So on Exhibit 26, the second page under 10 Exhibit 26. Section 2.3, it says Lessons learned. Employee who 11 11 Α. Okav. 12 is approving this near miss shoreside should also 12 And so it looks like there's some 13 complete the Lessons Learned Form 9.7 in correlation 13 heading information at the top of Exhibit 28 that to the near miss. should be available on Exhibit 26, but it's just not 14 14 15 So in Section 2.3, do you know whether 15 there, right? 16 the lessons learned created is a required field that 16 MR. RODGERS: Objection. I think 17 there's two different dates of the incidents. 17 has to be completed? 18 MR. CHAPMAN: Yeah, I agree. There are 18 A. It is not a required field. 19 Q. Okay. So you've added the word no there 19 two different dates. 20 The question I'm asking, though, is 2.0 to it, right? 21 A. Correction. I don't know exactly right 21 Exhibit 28 has a -- some information at the top 22 now if it's a required field or not. It could be. 22 titled 9.2 Near Miss Report. It's got some external 23 But even if it is a required field, you 23 number, a tag that it's clearly related to the Ο. 24 checked the box no? 24 MACKENZIE ROSE, who completed it, and the time it was 25 Α. Correct. completed, right?

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1			April 28, 202
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1 1	Moore - April 28, 2025	1	<u>-</u>
2	A. Yes.	2	
3	Q. Okay. Is there any reason why the document now marked as Exhibit 26 wouldn't have the	3	
4		4	12 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
5	same type of information at the top of it?	5	
6	A. I don't know. I didn't submit these. I don't know where this one came from.	7	
			~ 1
8 9	Q. You're talking about 26?A. Correct. Correction.	8 9	
10		10	
11	Q. Okay. A. Yep. So I don't know.		· · · · · · · · · · · · · · · · · · ·
12	•	11 12	~ 13
	- · · · · · · · · · · · · · · · · · · ·	13	· · · · · · · · · · · · · · · · · · ·
13	response items and all the things that appear		
14	underneath it, appear to be in line with what you	14	
15 16	fill out in a near miss report, right, between the two exhibits.	15 16	
17			
18	A. There's some missing boxes from like	17	2
19	two points or no, it's in here. Okay. It's just	19	<u> </u>
20	a different page. Yeah, everything else looks similar.	20	
21	Q. Okay. So referring to Exhibit 28, then,	21	
22	the report was in auto pilot failure	22	
23	A. Yes.	23	
24		24	·
25	Q while they were underway to New York? MR. RODGERS: Objection to the term	25	
25	MR. RODGERS: Objection to the term	25	(EXHIBIT 29, Daily Log, marked for
1	Page 299		Page 30
1	Moore - April 28, 2025	1	1
2	failure. It just says auto pilot stopped.	2	
3	THE WITNESS: On 28.	3	~ .
4	MR. CHAPMAN: I think it says auto pilot	4	1 3 1
5	failure under Near Miss Subject, right, 1.5.1.1?	5	-
	MR. RODGERS: Oh, up there. Yeah, I'm looking lower down on the page.	6	5 marked Exhibit 28.
6		7	7 And if you look on Erbibit 20 yours
7		7	1
7 8	A. Okay. Yeah, 1.1 says auto pilot	8	see that there was a near miss report entered at
7 8 9	A. Okay. Yeah, 1.1 says auto pilot failure.	8 9	see that there was a near miss report entered at 0700 hours.
7 8 9	A. Okay. Yeah, 1.1 says auto pilot failure. Q. Okay. So	8 9 10	see that there was a near miss report entered at 0700 hours. Do you see that?
7 8 9 10 11	A. Okay. Yeah, 1.1 says auto pilot failure. Q. Okay. So MR. RODGERS: Oh.	8 9 10 11	see that there was a near miss report entered at 0700 hours. Do you see that? A. Yes, sir.
7 8 9 10 11 12	A. Okay. Yeah, 1.1 says auto pilot failure. Q. Okay. So MR. RODGERS: Oh. Q. And then 1.5 says auto pilot stopped,	8 9 10 11 12	see that there was a near miss report entered at 0700 hours. Do you see that? A. Yes, sir. MR. RODGERS: Well, I don't oh,
7 8 9 10 11 12 13	A. Okay. Yeah, 1.1 says auto pilot failure. Q. Okay. So MR. RODGERS: Oh. Q. And then 1.5 says auto pilot stopped, tug took a hard left into other traffic lane, right?	8 9 10 11 12 13	see that there was a near miss report entered at 0700 hours. Do you see that? A. Yes, sir. MR. RODGERS: Well, I don't oh, sorry.
7 8 9 10 11 12 13 14	A. Okay. Yeah, 1.1 says auto pilot failure. Q. Okay. So MR. RODGERS: Oh. Q. And then 1.5 says auto pilot stopped, tug took a hard left into other traffic lane, right? A. Yes.	8 9 10 11 12 13 14	see that there was a near miss report entered at 0700 hours. Do you see that? A. Yes, sir. MR. RODGERS: Well, I don't oh, sorry. Q. And then if you look on Exhibit 28,
7 8 9 10 11 12 13 14 15	A. Okay. Yeah, 1.1 says auto pilot failure. Q. Okay. So MR. RODGERS: Oh. Q. And then 1.5 says auto pilot stopped, tug took a hard left into other traffic lane, right? A. Yes. Q. And again, this came to you on	8 9 10 11 12 13 14 15	see that there was a near miss report entered at 0700 hours. Do you see that? A. Yes, sir. MR. RODGERS: Well, I don't oh, sorry. Q. And then if you look on Exhibit 28, you'll see at the top it says Filled, February 28,
7 8 9 10 11 12 13 14 15	A. Okay. Yeah, 1.1 says auto pilot failure. Q. Okay. So MR. RODGERS: Oh. Q. And then 1.5 says auto pilot stopped, tug took a hard left into other traffic lane, right? A. Yes. Q. And again, this came to you on March 4th, 2024?	8 9 10 11 12 13 14 15 16	see that there was a near miss report entered at 0700 hours. Do you see that? A. Yes, sir. MR. RODGERS: Well, I don't oh, sorry. Q. And then if you look on Exhibit 28, you'll see at the top it says Filled, February 28, 2024 at 0700 hours, right?
7 8 9 10 11 12 13 14 15 16 17	A. Okay. Yeah, 1.1 says auto pilot failure. Q. Okay. So MR. RODGERS: Oh. Q. And then 1.5 says auto pilot stopped, tug took a hard left into other traffic lane, right? A. Yes. Q. And again, this came to you on March 4th, 2024? A. Yes.	8 9 10 11 12 13 14 15 16	see that there was a near miss report entered at 0700 hours. Do you see that? A. Yes, sir. MR. RODGERS: Well, I don't oh, sorry. Q. And then if you look on Exhibit 28, you'll see at the top it says Filled, February 28, 2024 at 0700 hours, right? A. Yes, sir.
7 8 9 10 11 12 13 14 15 16 17 18	A. Okay. Yeah, 1.1 says auto pilot failure. Q. Okay. So MR. RODGERS: Oh. Q. And then 1.5 says auto pilot stopped, tug took a hard left into other traffic lane, right? A. Yes. Q. And again, this came to you on March 4th, 2024? A. Yes. Q. And you approved it that date	8 9 10 11 12 13 14 15 16 17	see that there was a near miss report entered at 0700 hours. Do you see that? A. Yes, sir. MR. RODGERS: Well, I don't oh, sorry. Q. And then if you look on Exhibit 28, you'll see at the top it says Filled, February 28, 2024 at 0700 hours, right? A. Yes, sir. Q. So it appears those two correlate,
7 8 9 10 11 12 13 14 15 16 17 18 19	A. Okay. Yeah, 1.1 says auto pilot failure. Q. Okay. So MR. RODGERS: Oh. Q. And then 1.5 says auto pilot stopped, tug took a hard left into other traffic lane, right? A. Yes. Q. And again, this came to you on March 4th, 2024? A. Yes. Q. And you approved it that date A. Yes, sir.	8 9 10 11 12 13 14 15 16 17 18	see that there was a near miss report entered at 0700 hours. Do you see that? A. Yes, sir. MR. RODGERS: Well, I don't oh, sorry. Q. And then if you look on Exhibit 28, you'll see at the top it says Filled, February 28, 2024 at 0700 hours, right? A. Yes, sir. Q. So it appears those two correlate, right?
7 8 9 10 11 12 13 14 15 16 17 18 19 20	A. Okay. Yeah, 1.1 says auto pilot failure. Q. Okay. So MR. RODGERS: Oh. Q. And then 1.5 says auto pilot stopped, tug took a hard left into other traffic lane, right? A. Yes. Q. And again, this came to you on March 4th, 2024? A. Yes. Q. And you approved it that date A. Yes, sir. Q right?	8 9 10 11 12 13 14 15 16 17 18 19 20	see that there was a near miss report entered at 0700 hours. Do you see that? A. Yes, sir. MR. RODGERS: Well, I don't oh, sorry. Q. And then if you look on Exhibit 28, you'll see at the top it says Filled, February 28, 2024 at 0700 hours, right? A. Yes, sir. Q. So it appears those two correlate, right? A. It appears that way.
7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A. Okay. Yeah, 1.1 says auto pilot failure. Q. Okay. So MR. RODGERS: Oh. Q. And then 1.5 says auto pilot stopped, tug took a hard left into other traffic lane, right? A. Yes. Q. And again, this came to you on March 4th, 2024? A. Yes. Q. And you approved it that date A. Yes, sir. Q right? Again, you either checked from the	8 9 10 11 12 13 14 15 16 17 18 19 20 21	see that there was a near miss report entered at 0700 hours. Do you see that? A. Yes, sir. MR. RODGERS: Well, I don't oh, sorry. Q. And then if you look on Exhibit 28, you'll see at the top it says Filled, February 28, 2024 at 0700 hours, right? A. Yes, sir. Q. So it appears those two correlate, right? A. It appears that way. MR. RODGERS: Which exhibits correlate?
7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. Okay. Yeah, 1.1 says auto pilot failure. Q. Okay. So MR. RODGERS: Oh. Q. And then 1.5 says auto pilot stopped, tug took a hard left into other traffic lane, right? A. Yes. Q. And again, this came to you on March 4th, 2024? A. Yes. Q. And you approved it that date A. Yes, sir. Q right? Again, you either checked from the drop-down or entered no in response to lessons	8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	see that there was a near miss report entered at 0700 hours. Do you see that? A. Yes, sir. MR. RODGERS: Well, I don't oh, sorry. Q. And then if you look on Exhibit 28, you'll see at the top it says Filled, February 28, 2024 at 0700 hours, right? A. Yes, sir. Q. So it appears those two correlate, right? A. It appears that way. MR. RODGERS: Which exhibits correlate? MS. WERNER: What is the Bates for
7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A. Okay. Yeah, 1.1 says auto pilot failure. Q. Okay. So MR. RODGERS: Oh. Q. And then 1.5 says auto pilot stopped, tug took a hard left into other traffic lane, right? A. Yes. Q. And again, this came to you on March 4th, 2024? A. Yes. Q. And you approved it that date A. Yes, sir. Q right? Again, you either checked from the drop-down or entered no in response to lessons learned created, right?	8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	see that there was a near miss report entered at 0700 hours. Do you see that? A. Yes, sir. MR. RODGERS: Well, I don't oh, sorry. Q. And then if you look on Exhibit 28, you'll see at the top it says Filled, February 28, 2024 at 0700 hours, right? A. Yes, sir. Q. So it appears those two correlate, right? A. It appears that way. MR. RODGERS: Which exhibits correlate? MS. WERNER: What is the Bates for Exhibit 29, please?
7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. Okay. Yeah, 1.1 says auto pilot failure. Q. Okay. So MR. RODGERS: Oh. Q. And then 1.5 says auto pilot stopped, tug took a hard left into other traffic lane, right? A. Yes. Q. And again, this came to you on March 4th, 2024? A. Yes. Q. And you approved it that date A. Yes, sir. Q right? Again, you either checked from the drop-down or entered no in response to lessons	8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	see that there was a near miss report entered at 0700 hours. Do you see that? A. Yes, sir. MR. RODGERS: Well, I don't oh, sorry. Q. And then if you look on Exhibit 28, you'll see at the top it says Filled, February 28, 2024 at 0700 hours, right? A. Yes, sir. Q. So it appears those two correlate, right? A. It appears that way. MR. RODGERS: Which exhibits correlate? MS. WERNER: What is the Bates for Exhibit 29, please? MR. CHAPMAN: 25 and 26, I think. Yeah,

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1	Moore - April 28, 2025	1	Moore - April 28, 2025
2	MR. RODGERS: And what correlates to	2	Description of Near Miss, it looks like Captain
3	what? 29 correlates to what exhibit?	3	Miller is reporting that it caused the auto pilot to
4	MR. CHAPMAN: 28. The time entries.	4	go into standby and hard right to heavy seas?
5	MR. RODGERS: The February the	5	A. Yes, that's what it says.
6	February	6	Q. Okay. Was this particular near miss
7	MR. CHAPMAN: Yeah, the time entries.	7	report or the loss of the satellite compass ever
8	MR. RODGERS: Okay. February. Okay.	8	checked out by technicians?
9	MR. CHAPMAN: Yeah. Okay.	9	MR. RODGERS: Can you show him the whole
10	Q. So there's a way to at least	10	document.
11	cross-reference those if you have the information at	11	A. Yeah, I don't what are we looking at
12	the top of Exhibit 28?	12	here?
13	A. Yes, sir.	13	Well, yes, we had the technicians, but I
14	Q. Okay.	14	don't I would have to look at the reference for
15	A. Well, this one on Exhibit 29, at 0700,	15	to correlate it, the timing of it.
16	they were still at the dock.	16	Q. Well, I note under Section 2.5 on page
17	Q. Have you looked at the rough log for	17	40, that is the second page of this exhibit, under
18	February 28, 2024?	18	the heading Remedial Activities of Training. We had
19		19	technicians come in and completely swap all the
20	A. No. Sorry, I have not.	20	electronics that's associated with the navigation.
	Q. Okay.		
21	MR. CHAPMAN: Mark this as 30, please.	21	Since the replacement, all components are fully
22	(Exhibit 30, 9.2 Near Miss Report,	22	operational.
23	marked for identification, as of this date.)	23	Is that what you entered?
24	Q. Do you have Exhibit 30?	24	A. Yes, sir.
25	A. Yes.	25	Q. So what are you talking about there in
	Page 3	303	Page 305
1	Moore - April 28, 2025	1	Moore - April 28, 2025
2	Q. This is a two-page exhibit marked Carve	r 2	terms of completely swap all the electronics?
3	000039 and 40 and appears to be another near miss	3	A. It's just the various auto pilot
4	report, correct?	4	components that's needed with the different the
5	A. Yes, sir.	5	different technicians.
6	Q. That was appears to have been	6	Q. So are you saying there wasn't anything
7	received and approved by you on April 19th, 2024?	7	else to be done?
8	A. Yes.	8	A. The once the technician changes out
9	Q. And it references the loss of satellite	وا	the component and then they operationally test it,
10	-	10	
	compass?		like I'm to believe that it's fully operational.
	compass?		like I'm to believe that it's fully operational. O. So we know Mackay replaced the auto
11	A. Yes.	11	Q. So we know Mackay replaced the auto
11 12	A. Yes. Q. What do you understand that to mean?	11 12	Q. So we know Mackay replaced the auto pilots in late 2023, right?
11 12 13	A. Yes. Q. What do you understand that to mean? Did it like fall overboard or	11 12 13	Q. So we know Mackay replaced the auto pilots in late 2023, right? MR. RODGERS: Objection to the term
11 12 13 14	A. Yes. Q. What do you understand that to mean? Did it like fall overboard or A. I would it could be loss of a signal	11 12 13 14	Q. So we know Mackay replaced the auto pilots in late 2023, right? MR. RODGERS: Objection to the term replaced.
11 12 13 14 15	A. Yes. Q. What do you understand that to mean? Did it like fall overboard or A. I would it could be loss of a signal from a satellite compass.	11 12 13 14 15	Q. So we know Mackay replaced the auto pilots in late 2023, right? MR. RODGERS: Objection to the term replaced. A. They
11 12 13 14 15 16	A. Yes. Q. What do you understand that to mean? Did it like fall overboard or A. I would it could be loss of a signal from a satellite compass. Q. Okay. Or that it failed, it went bad or	11 12 13 14 15 16	Q. So we know Mackay replaced the auto pilots in late 2023, right? MR. RODGERS: Objection to the term replaced. A. They MR. RODGERS: That's your term, not
11 12 13 14 15 16 17	A. Yes. Q. What do you understand that to mean? Did it like fall overboard or A. I would it could be loss of a signal from a satellite compass. Q. Okay. Or that it failed, it went bad or something like that?	11 12 13 14 15 16 17	Q. So we know Mackay replaced the auto pilots in late 2023, right? MR. RODGERS: Objection to the term replaced. A. They MR. RODGERS: That's your term, not A they worked on. They worked on.
11 12 13 14 15 16 17 18	A. Yes. Q. What do you understand that to mean? Did it like fall overboard or A. I would it could be loss of a signal from a satellite compass. Q. Okay. Or that it failed, it went bad or something like that? A. Yeah, it could be multiple things.	11 12 13 14 15 16 17 18	Q. So we know Mackay replaced the auto pilots in late 2023, right? MR. RODGERS: Objection to the term replaced. A. They MR. RODGERS: That's your term, not A they worked on. They worked on. MR. RODGERS: Wait until my objection's
11 12 13 14 15 16 17 18	A. Yes. Q. What do you understand that to mean? Did it like fall overboard or A. I would it could be loss of a signal from a satellite compass. Q. Okay. Or that it failed, it went bad or something like that? A. Yeah, it could be multiple things. Q. Is that important in navigation?	11 12 13 14 15 16 17 18 19	Q. So we know Mackay replaced the auto pilots in late 2023, right? MR. RODGERS: Objection to the term replaced. A. They MR. RODGERS: That's your term, not A they worked on. They worked on. MR. RODGERS: Wait until my objection's finished. Sorry.
11 12 13 14 15 16 17 18	A. Yes. Q. What do you understand that to mean? Did it like fall overboard or A. I would it could be loss of a signal from a satellite compass. Q. Okay. Or that it failed, it went bad on something like that? A. Yeah, it could be multiple things. Q. Is that important in navigation? A. It	11 12 13 14 15 16 17 18 19 20	Q. So we know Mackay replaced the auto pilots in late 2023, right? MR. RODGERS: Objection to the term replaced. A. They MR. RODGERS: That's your term, not A they worked on. They worked on. MR. RODGERS: Wait until my objection's finished. Sorry. That's your term, Jim, not his term. So
11 12 13 14 15 16 17 18 19 20 21	A. Yes. Q. What do you understand that to mean? Did it like fall overboard or A. I would it could be loss of a signal from a satellite compass. Q. Okay. Or that it failed, it went bad or something like that? A. Yeah, it could be multiple things. Q. Is that important in navigation?	11 12 13 14 15 16 17 18 19 20	Q. So we know Mackay replaced the auto pilots in late 2023, right? MR. RODGERS: Objection to the term replaced. A. They MR. RODGERS: That's your term, not A they worked on. They worked on. MR. RODGERS: Wait until my objection's finished. Sorry. That's your term, Jim, not his term. So can you correct your go ahead.
11 12 13 14 15 16 17 18 19 20	A. Yes. Q. What do you understand that to mean? Did it like fall overboard or A. I would it could be loss of a signal from a satellite compass. Q. Okay. Or that it failed, it went bad on something like that? A. Yeah, it could be multiple things. Q. Is that important in navigation? A. It	11 12 13 14 15 16 17 18 19 20	Q. So we know Mackay replaced the auto pilots in late 2023, right? MR. RODGERS: Objection to the term replaced. A. They MR. RODGERS: That's your term, not A they worked on. They worked on. MR. RODGERS: Wait until my objection's finished. Sorry. That's your term, Jim, not his term. So
11 12 13 14 15 16 17 18 19 20 21	A. Yes. Q. What do you understand that to mean? Did it like fall overboard or A. I would it could be loss of a signal from a satellite compass. Q. Okay. Or that it failed, it went bad or something like that? A. Yeah, it could be multiple things. Q. Is that important in navigation? A. It MR. RODGERS: Objection. He's not here	11 12 13 14 15 16 17 18 19 20 21	Q. So we know Mackay replaced the auto pilots in late 2023, right? MR. RODGERS: Objection to the term replaced. A. They MR. RODGERS: That's your term, not A they worked on. They worked on. MR. RODGERS: Wait until my objection's finished. Sorry. That's your term, Jim, not his term. So can you correct your go ahead.
11 12 13 14 15 16 17 18 19 20 21 22	A. Yes. Q. What do you understand that to mean? Did it like fall overboard or A. I would it could be loss of a signal from a satellite compass. Q. Okay. Or that it failed, it went bad or something like that? A. Yeah, it could be multiple things. Q. Is that important in navigation? A. It MR. RODGERS: Objection. He's not here as an expert.	11 12 13 14 15 16 17 18 19 20 21 22	Q. So we know Mackay replaced the auto pilots in late 2023, right? MR. RODGERS: Objection to the term replaced. A. They MR. RODGERS: That's your term, not A they worked on. They worked on. MR. RODGERS: Wait until my objection's finished. Sorry. That's your term, Jim, not his term. So can you correct your go ahead. A. Mackay did work on the auto pilot

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1	Page 306		Page 308
1	Moore - April 28, 2025	1	Moore - April 28, 2025
2	A. Yes.	2	MR. RODGERS: I guess if we have time
3	Q. Okay. So is that what you're referring	3	to.
4	to when you say in Section 2.5 in Exhibit 30	4	Q. If, in fact, this entry on April 1 in
5	MR. RODGERS: Objection.	5	the daily log of a near miss report is, in fact, the
6	Q that you had technicians come in and	6	one that is being approved on April 19th by you, it
7	completely swap all the electronics that's associated	7	could well be that the Ayers Marine people came in
8	with the navigation?	8	and looked at this on April 3rd, April 4th,
9	A. It doesn't necessarily refer to Mackay.	9	April 10th, April 11th, right?
10	It also refers to Ayers as well, too.	10	A. It's possible.
11	Q. And the last work by Ayers on the	11	Q. Okay. So that's is that what you're
12	MACKENZIE ROSE electronics was in early April of	12	referring to in Section 2.5 of Exhibit 30?
13	2024, correct?	13	A. I don't know exactly, but once Ayers,
14	A. Correct.	14	the technician, signs off on it, I would have then
15	Q. So there wasn't any more work done on	15	gone in later and approved it and wrote that as a
16	the MACKENZIE ROSE auto pilot after this report?	16	note in there.
17	A. Yeah, but the my approval date isn't	17	Q. Okay.
18	necessarily the submission date.	18	-
			MR. CHAPMAN: Would you mark this as 32,
19	Q. So your lawyer's also produced to us a	19	please.
20	log for April 1, 2024.	20	(Exhibit 32, Training Records, marked
21	MR. CHAPMAN: Let's mark that as 31,	21	for identification, as of this date.)
22	please.	22	Q. Mr. Moore, you've been handed
23	(Exhibit 31, Daily Log, marked for	23	Exhibit 32, which consists of Carver 000851 through
24	identification, as of this date.)	24	885
25	Q. And you see at 9:34	25	3 Von min
	Q. That you bee at y.si	25	A. Yes, sir.
	· ·	2.5	A. Yes, sir. Page 309
1	Page 307 Moore - April 28, 2025	1	·
1 2	Page 307		Page 309
	Page 307 Moore - April 28, 2025	1	Page 309 Moore - April 28, 2025
2	Moore - April 28, 2025 A. Yes.	1 2	Moore - April 28, 2025 Q which are, to my knowledge,
2 3	Moore - April 28, 2025 A. Yes. Q on Exhibit 31 well, let me stop. So Exhibit 31 is the daily log for	1 2 3	Moore - April 28, 2025 Q which are, to my knowledge, consecutive.
2 3 4	Moore - April 28, 2025 A. Yes. Q on Exhibit 31 well, let me stop.	1 2 3 4	Moore - April 28, 2025 Q which are, to my knowledge, consecutive. What are these, or what is this?
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			April 28, 2025
	Page 310		Page 312
1	Moore - April 28, 2025	1	Moore - April 28, 2025
2	Q or drills.	2	drills. That's all done by the captain of the
3	MR. RODGERS: Well, don't guess.	3	vessel.
4	MR. CHAPMAN: Okay.	4	Q. And that training is at the captain's
5	Q. So here is my question; under just	5	discretion?
6	looking at page 1, it's the second entry, June, Week	6	A. Yes.
7	3 Safety Training Quiz.	7	Q. Like whatever he feels like he should
8	Are written quizzes given to the crew	8	train on, or is there a cycle?
9	members on your vessels?	9	A. No. There's a cycle of like a matrix
10	A. No. I have not I have not seen a	10	that is auto populated into by Helm and TBS to
11	written a written quiz issued out.	11	make sure that you're covering all the bases
12	Q. So do you know what the content, or is	12	necessary quarterly to do it.
13	there a way to find out what the content of the	13	Q. So who has planned out this training?
14	safety training quiz for June, Week 3 was?	14	A. TBS/Helm.
15	A. I don't know. I'd have to look into	15	Q. So you've outsourced to TBS the training
16	Helm into it.	16	planning?
17	Q. Do you know what the icon in the very	17	A. Yes, sir.
18	far left column is?	18	Q. Do you have any input into the things
19	A. I don't know what that represents, that	19	that people should be trained on?
20	icon.	20	A. We can I don't know off the top of my
21	Q. Who would know?	21	head, actually. I'm sure we can have input on
22	A. TBS or Helm.	22	changes that we would like to see to it.
23	Q. Sorry?	23	Q. Who's currently responsible for training
24	A. TBS or Helm, what that icon represents.	24	at Carver, Carver Marine Towing?
25	Q. Is there a person in the Carver	25	A. There's nobody assigned to training.
	Page 311		Page 313
1	Moore - April 28, 2025	1	Moore - April 28, 2025
2	organization who would know?	2	Q. Okay. The same was true in June of
3	A. There's people I can assume, but not	3	2024?
4	necessarily. It could be multiple things. I don't	4	A. Yes.
5	know what it is.	5	Q. Has there ever been anybody assigned to
6	Q. So you require a tracking of training of	6	have that training responsibility while you've been
7	members of the crew as it occurs, right?	7	general manager?
8	A. Yes, sir.	8	A. We have TBS come in and perform
9	Q. It has to be entered somehow in the Helm	9	third-party drills and training with the crew
10	system, and maybe it goes in through the daily log.	10	members, with the various vessels and crew members.
11	I don't know. But you do track it?	11	Q. Yeah. So my question, though, is there
12	A. Yeah. These are the weekly these are	12	somebody while you've been general manager that has
13	all drills and training that that person is involved	13	had training responsibility?
14	with.	14	A. There's Jason Galioto will work with
15	Q. And who comes up with these drills and	15	TBS to bring TBS for training.
16	training?	16	Q. Now, he's the one that you said had a
17	A. It's they're auto populated by	17	new position, though?
18	TBS/Helm.	18	A. In last year he did, yes.
19	Q. So what I'm trying to understand	19	Q. Okay.
20	is the who's the instructor, No. 1, right? Who	20	A. So now he's
21	does the instruction or the testing?	21	Q. Is he still doing it or
22	A. I don't know if I don't know about	22	A. He's doing marine compliance.
23	the safety quiz. I don't know if there is an actual	23	Q. That's a that is training or isn't?
24	quiz involved, like besides your general arm testings	24	A. No, it's not no, it's not necessarily
25	and your fire-fighting drills and your man overbroad	25	training. It's involving the training of TBS to come

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				April 28, 2025
		Page 314		Page 316
1		Moore - April 28, 2025	1	<u> </u>
2	in and do t	he training for us, as they're the experts	2	(Exhibit 33, Vessel Survey, marked for
3	on it.		3	identification, as of this date.)
4	Q.	But there's nobody that has the	4	Q. I'm passing you a copy of what's been
5	designated	title of safety manager excuse me,	5	marked as Exhibit 33, which I believe is
6	training ma	nager	6	Mr. Meyerrose's survey
7	A.	Correct.	7	A. Yes, sir.
8	Q.	at Carver?	8	Q published on July 7th, 2024, Carver
9	A.	That's correct.	9	000796 through 815.
10	Q.	Okay. Does anybody check on the scope	10	The photos that are in here look like
11	of this tra	ining or follow up to make sure that it's	11	they're all dated June 25th, 2024.
12	adequate?	5	12	Do you see that?
13	Α.	We do annual internal audits with TBS	13	A. Yes, sir.
14	and another	third-party organization, that they come	14	Q. And your recollection is he was aboard
15		go over the various components of the SMS	15	the vessel on the same day as the interviews were
16	-	hat we're following their procedures, and	16	being done, right?
17		you know, raise any questions or concerns.	17	A. Yes.
18	-	Who's your contact at TBS?	18	Q. Okay. There are a number of photos
	Q.			-
19	A.	It'd be Collin Bryant.	19	attached to his report that start on page 805
20	Q.	Collin Bryant?	20	A. Yes, sir.
21	Α.	Yep, in	21	Q all the way to the end, page 815.
22	Q.	Where is he located?	22	Have you ever seen the full-size version
23	A.	In Vermont.	23	of these photos?
24	Q.	Vermont?	24	A. No.
25	A.	Yes.	25	Q. Have you ever asked Mr. Meyerrose to
		Page 315		Page 317
1		Moore - April 28, 2025	1	Moore - April 28, 2025
2	Q.	Okay.	2	
3	A.			send them to you?
4	A.	And then there's Pat Folan, based in	3	send them to you? A. I have not specifically asked for them.
1	Alabama.	And then there's Pat Folan, based in	3 4	-
5		And then there's Pat Folan, based in Can you spell Pat's last name.		A. I have not specifically asked for them.
5 6	Alabama.	•	4	A. I have not specifically asked for them. Q. If you go to page 810.
	Alabama. Q.	Can you spell Pat's last name.	4 5	A. I have not specifically asked for them. Q. If you go to page 810. A. Okay.
6	Alabama. Q. A.	Can you spell Pat's last name.	4 5 6	A. I have not specifically asked for them. Q. If you go to page 810. A. Okay. Q. The photo in the lower left is labeled
6 7	Alabama. Q. A. Q.	Can you spell Pat's last name. F-O-L-A-N. And they're both with this TBS	4 5 6 7	A. I have not specifically asked for them. Q. If you go to page 810. A. Okay. Q. The photo in the lower left is labeled Upper Pilot House.
6 7 8	Alabama. Q. A. Q. A.	Can you spell Pat's last name. F-O-L-A-N. And they're both with this TBS Yes.	4 5 6 7 8	A. I have not specifically asked for them. Q. If you go to page 810. A. Okay. Q. The photo in the lower left is labeled Upper Pilot House. A. Yes, sir. Q. So I think it's everybody's
6 7 8 9	Alabama. Q. A. Q. A. Q. A.	Can you spell Pat's last name. F-O-L-A-N. And they're both with this TBS Yes.	4 5 6 7 8	A. I have not specifically asked for them. Q. If you go to page 810. A. Okay. Q. The photo in the lower left is labeled Upper Pilot House. A. Yes, sir.
6 7 8 9 10 11	Alabama. Q. A. Q. A. Q. like that?	Can you spell Pat's last name. F-O-L-A-N. And they're both with this TBS Yes. tug and barge service or something Yes.	4 5 6 7 8 9 10	A. I have not specifically asked for them. Q. If you go to page 810. A. Okay. Q. The photo in the lower left is labeled Upper Pilot House. A. Yes, sir. Q. So I think it's everybody's understanding that's where Captain Morrissey was when the allision occurred?
6 7 8 9 10 11 12	Alabama. Q. A. Q. A. Q. like that?	Can you spell Pat's last name. F-O-L-A-N. And they're both with this TBS Yes. tug and barge service or something	4 5 6 7 8 9 10 11	A. I have not specifically asked for them. Q. If you go to page 810. A. Okay. Q. The photo in the lower left is labeled Upper Pilot House. A. Yes, sir. Q. So I think it's everybody's understanding that's where Captain Morrissey was when the allision occurred?
6 7 8 9 10 11	Alabama. Q. A. Q. A. Q. like that? A. Q.	Can you spell Pat's last name. F-O-L-A-N. And they're both with this TBS Yes. tug and barge service or something Yes.	4 5 6 7 8 9 10 11 12	A. I have not specifically asked for them. Q. If you go to page 810. A. Okay. Q. The photo in the lower left is labeled Upper Pilot House. A. Yes, sir. Q. So I think it's everybody's understanding that's where Captain Morrissey was when the allision occurred? A. That's my understanding, yes. Q. Just looking at that photo, can you tell
6 7 8 9 10 11 12 13 14	Alabama. Q. A. Q. A. Q. like that? A. Q. report A.	Can you spell Pat's last name. F-O-L-A-N. And they're both with this TBS Yes tug and barge service or something Yes. Okay. Do you know who generated this I do not.	4 5 6 7 8 9 10 11 12 13 14	A. I have not specifically asked for them. Q. If you go to page 810. A. Okay. Q. The photo in the lower left is labeled Upper Pilot House. A. Yes, sir. Q. So I think it's everybody's understanding that's where Captain Morrissey was when the allision occurred? A. That's my understanding, yes. Q. Just looking at that photo, can you tell which of them is the auto pilot which device
6 7 8 9 10 11 12 13 14 15	Alabama. Q. A. Q. A. Q. like that? A. Q. report A. Q.	Can you spell Pat's last name. F-O-L-A-N. And they're both with this TBS Yes. tug and barge service or something Yes. Okay. Do you know who generated this I do not. that's marked Exhibit 32?	4 5 6 7 8 9 10 11 12 13 14 15	A. I have not specifically asked for them. Q. If you go to page 810. A. Okay. Q. The photo in the lower left is labeled Upper Pilot House. A. Yes, sir. Q. So I think it's everybody's understanding that's where Captain Morrissey was when the allision occurred? A. That's my understanding, yes. Q. Just looking at that photo, can you tell which of them is the auto pilot which device arrayed in this picture is the auto pilot?
6 7 8 9 10 11 12 13 14 15	Alabama. Q. A. Q. A. Q. like that? A. Q. report A. Q. A.	Can you spell Pat's last name. F-O-L-A-N. And they're both with this TBS Yes tug and barge service or something Yes. Okay. Do you know who generated this I do not that's marked Exhibit 32? No, sir, I do not.	4 5 6 7 8 9 10 11 12 13 14 15 16	A. I have not specifically asked for them. Q. If you go to page 810. A. Okay. Q. The photo in the lower left is labeled Upper Pilot House. A. Yes, sir. Q. So I think it's everybody's understanding that's where Captain Morrissey was when the allision occurred? A. That's my understanding, yes. Q. Just looking at that photo, can you tell which of them is the auto pilot which device arrayed in this picture is the auto pilot? A. It would be the one to the far right of
6 7 8 9 10 11 12 13 14 15 16 17	Alabama. Q. A. Q. A. Q. like that? A. Q. report A. Q. A. Q.	Can you spell Pat's last name. F-O-L-A-N. And they're both with this TBS Yes tug and barge service or something Yes. Okay. Do you know who generated this I do not that's marked Exhibit 32? No, sir, I do not. Was Captain Morrissey ever assigned	4 5 6 7 8 9 10 11 12 13 14 15 16 17	A. I have not specifically asked for them. Q. If you go to page 810. A. Okay. Q. The photo in the lower left is labeled Upper Pilot House. A. Yes, sir. Q. So I think it's everybody's understanding that's where Captain Morrissey was when the allision occurred? A. That's my understanding, yes. Q. Just looking at that photo, can you tell which of them is the auto pilot which device arrayed in this picture is the auto pilot? A. It would be the one to the far right of the screen, slightly above the fire extinguisher.
6 7 8 9 10 11 12 13 14 15 16 17	Alabama. Q. A. Q. A. Q. like that? A. Q. report A. Q. A. Q. duties to t	Can you spell Pat's last name. F-O-L-A-N. And they're both with this TBS Yes tug and barge service or something Yes. Okay. Do you know who generated this I do not that's marked Exhibit 32? No, sir, I do not. Was Captain Morrissey ever assigned rain new hires?	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A. I have not specifically asked for them. Q. If you go to page 810. A. Okay. Q. The photo in the lower left is labeled Upper Pilot House. A. Yes, sir. Q. So I think it's everybody's understanding that's where Captain Morrissey was when the allision occurred? A. That's my understanding, yes. Q. Just looking at that photo, can you tell which of them is the auto pilot which device arrayed in this picture is the auto pilot? A. It would be the one to the far right of the screen, slightly above the fire extinguisher. Q. Okay. If I gave you a pen, could you
6 7 8 9 10 11 12 13 14 15 16 17 18	Alabama. Q. A. Q. A. Q. like that? A. Q. report A. Q. duties to t A.	Can you spell Pat's last name. F-O-L-A-N. And they're both with this TBS Yes. tug and barge service or something Yes. Okay. Do you know who generated this I do not. that's marked Exhibit 32? No, sir, I do not. Was Captain Morrissey ever assigned rain new hires? I don't know about assigned for training	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	A. I have not specifically asked for them. Q. If you go to page 810. A. Okay. Q. The photo in the lower left is labeled Upper Pilot House. A. Yes, sir. Q. So I think it's everybody's understanding that's where Captain Morrissey was when the allision occurred? A. That's my understanding, yes. Q. Just looking at that photo, can you tell which of them is the auto pilot which device arrayed in this picture is the auto pilot? A. It would be the one to the far right of the screen, slightly above the fire extinguisher. Q. Okay. If I gave you a pen, could you circle it for us on this exhibit?
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Alabama. Q. A. Q. A. Q. like that? A. Q. report A. Q. duties to t A. besides ves	Can you spell Pat's last name. F-O-L-A-N. And they're both with this TBS Yes. tug and barge service or something Yes. Okay. Do you know who generated this I do not. that's marked Exhibit 32? No, sir, I do not. Was Captain Morrissey ever assigned rain new hires? I don't know about assigned for training sel orientations of new crew members to	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A. I have not specifically asked for them. Q. If you go to page 810. A. Okay. Q. The photo in the lower left is labeled Upper Pilot House. A. Yes, sir. Q. So I think it's everybody's understanding that's where Captain Morrissey was when the allision occurred? A. That's my understanding, yes. Q. Just looking at that photo, can you tell which of them is the auto pilot which device arrayed in this picture is the auto pilot? A. It would be the one to the far right of the screen, slightly above the fire extinguisher. Q. Okay. If I gave you a pen, could you circle it for us on this exhibit? A. Sure.
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Alabama. Q. A. Q. A. Q. like that? A. Q. report A. Q. A. Q. duties to t A. besides ves that vessel	Can you spell Pat's last name. F-O-L-A-N. And they're both with this TBS Yes tug and barge service or something Yes. Okay. Do you know who generated this I do not that's marked Exhibit 32? No, sir, I do not. Was Captain Morrissey ever assigned rain new hires? I don't know about assigned for training sel orientations of new crew members to	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A. I have not specifically asked for them. Q. If you go to page 810. A. Okay. Q. The photo in the lower left is labeled Upper Pilot House. A. Yes, sir. Q. So I think it's everybody's understanding that's where Captain Morrissey was when the allision occurred? A. That's my understanding, yes. Q. Just looking at that photo, can you tell which of them is the auto pilot which device arrayed in this picture is the auto pilot? A. It would be the one to the far right of the screen, slightly above the fire extinguisher. Q. Okay. If I gave you a pen, could you circle it for us on this exhibit? A. Sure. Q. And then I'm going to ask you to put
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Alabama. Q. A. Q. A. Q. like that? A. Q. report A. Q. A. Q. duties to t A. besides ves that vessel Q.	Can you spell Pat's last name. F-O-L-A-N. And they're both with this TBS Yes tug and barge service or something Yes. Okay. Do you know who generated this I do not that's marked Exhibit 32? No, sir, I do not. Was Captain Morrissey ever assigned rain new hires? I don't know about assigned for training sel orientations of new crew members to . Would he have received any training or	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. I have not specifically asked for them. Q. If you go to page 810. A. Okay. Q. The photo in the lower left is labeled Upper Pilot House. A. Yes, sir. Q. So I think it's everybody's understanding that's where Captain Morrissey was when the allision occurred? A. That's my understanding, yes. Q. Just looking at that photo, can you tell which of them is the auto pilot which device arrayed in this picture is the auto pilot? A. It would be the one to the far right of the screen, slightly above the fire extinguisher. Q. Okay. If I gave you a pen, could you circle it for us on this exhibit? A. Sure. Q. And then I'm going to ask you to put your initials next to it and date it so that anybody
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Alabama. Q. A. Q. A. Q. like that? A. Q. report A. Q. duties to t A. besides ves that vessel Q. instruction	Can you spell Pat's last name. F-O-L-A-N. And they're both with this TBS Yes. tug and barge service or something Yes. Okay. Do you know who generated this I do not. that's marked Exhibit 32? No, sir, I do not. Was Captain Morrissey ever assigned rain new hires? I don't know about assigned for training sel orientations of new crew members to Would he have received any training or on how to do that?	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A. I have not specifically asked for them. Q. If you go to page 810. A. Okay. Q. The photo in the lower left is labeled Upper Pilot House. A. Yes, sir. Q. So I think it's everybody's understanding that's where Captain Morrissey was when the allision occurred? A. That's my understanding, yes. Q. Just looking at that photo, can you tell which of them is the auto pilot which device arrayed in this picture is the auto pilot? A. It would be the one to the far right of the screen, slightly above the fire extinguisher. Q. Okay. If I gave you a pen, could you circle it for us on this exhibit? A. Sure. Q. And then I'm going to ask you to put your initials next to it and date it so that anybody that looks at it later will know who did that. Okay?
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	Alabama. Q. A. Q. A. Q. like that? A. Q. report A. Q. A. Q. duties to t A. besides ves that vessel Q.	Can you spell Pat's last name. F-O-L-A-N. And they're both with this TBS Yes. tug and barge service or something Yes. Okay. Do you know who generated this I do not. that's marked Exhibit 32? No, sir, I do not. Was Captain Morrissey ever assigned rain new hires? I don't know about assigned for training sel orientations of new crew members to Would he have received any training or on how to do that? Not to my knowledge.	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	A. I have not specifically asked for them. Q. If you go to page 810. A. Okay. Q. The photo in the lower left is labeled Upper Pilot House. A. Yes, sir. Q. So I think it's everybody's understanding that's where Captain Morrissey was when the allision occurred? A. That's my understanding, yes. Q. Just looking at that photo, can you tell which of them is the auto pilot which device arrayed in this picture is the auto pilot? A. It would be the one to the far right of the screen, slightly above the fire extinguisher. Q. Okay. If I gave you a pen, could you circle it for us on this exhibit? A. Sure. Q. And then I'm going to ask you to put your initials next to it and date it so that anybody that looks at it later will know who did that. Okay? A. Well, then, no, I won't.
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Alabama. Q. A. Q. A. Q. like that? A. Q. report A. Q. duties to t A. besides ves that vessel Q. instruction	Can you spell Pat's last name. F-O-L-A-N. And they're both with this TBS Yes. tug and barge service or something Yes. Okay. Do you know who generated this I do not. that's marked Exhibit 32? No, sir, I do not. Was Captain Morrissey ever assigned rain new hires? I don't know about assigned for training sel orientations of new crew members to Would he have received any training or on how to do that?	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A. I have not specifically asked for them. Q. If you go to page 810. A. Okay. Q. The photo in the lower left is labeled Upper Pilot House. A. Yes, sir. Q. So I think it's everybody's understanding that's where Captain Morrissey was when the allision occurred? A. That's my understanding, yes. Q. Just looking at that photo, can you tell which of them is the auto pilot which device arrayed in this picture is the auto pilot? A. It would be the one to the far right of the screen, slightly above the fire extinguisher. Q. Okay. If I gave you a pen, could you circle it for us on this exhibit? A. Sure. Q. And then I'm going to ask you to put your initials next to it and date it so that anybody that looks at it later will know who did that. Okay?

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				April 28, 2025
1		Page 318 Moore - April 28, 2025	1	Page 320 Moore - April 28, 2025
2	A.	Well	2	A. No.
3	***	MR. RODGERS: He doesn't have to.	3	Q. Okay. So the first item says Two
4	Α.	No, because I'm not familiar with it,	4	non-followup steering controllers.
5	so	no, because I in not lamiliar with 10,	5	And on that boat, there would be one in
6	20111	MR. RODGERS: Then don't do it.	6	the upper wheelhouse and then the wheelhouse, right?
7	Q.	I'm just asking you I'm not asking	7	A. I couldn't attest to if there's one
8		absolutely for certain that's what it is.	8	an up and lower, but I would have to look at.
9	It's just t		9	Q. If it says there's two, that would maybe
10	Α.	Then	10	indicate that there's one in the wheelhouse and one
11	Q.	what you believe	11	in the upper?
12	A.	No.	12	A. It's a possibility.
13	0.	it to be.	13	Q. Okay. And then it says there's one
14	Α.	Not doing it.	14	Simrad AP50 auto pilot.
15	0.	So you're telling us	15	Do you know whether there's only one
16	Α.	You can come aboard the vessel and look	16	auto pilot on that boat?
17	at it again	or question Jason Meyerrose on it.	17	A. Not to my knowledge.
18	Q.	Yeah. So I don't want to argue with you	18	Q. Okay. You think there's two?
19	about it, b	ut I've been asking to board the vessel	19	A. I believe so, yes.
20	for a coupl	e of months now, okay?	20	Q. Okay. When you were aboarded on
21	A.	That's	21	June 25th, did you look at the auto pilots?
22		MR. RODGERS: I thought we had a date	22	A. In the lower wheelhouse, because it's
23	for i	t.	23	right in front of you, but I didn't go up to the
24	A.	That's not me.	24	upper wheelhouse to look at it.
25		MR. CHAPMAN: No, we don't have a date.	25	Q. And do you know whether it was an AP50
		Page 319		Page 321
1		Moore - April 28, 2025	1	Moore - April 28, 2025
2	Q.	All right. So just to be clear, you	2	in the lower wheelhouse?
3	can't relia	bly pick out which of those devices that	3	A. No, not that not I don't know
4	are seen in	a photograph	4	if exactly, because I didn't look at the
5		MR. RODGERS: Objection. Objection.	5	make/model of it.
6	Wait.	He just said he's not going to do it in	6	Q. The reason I'm asking is Mackay said it
7	the m	anner you asked him. He's not the captain,	7	installed two AP70s, and this says there's an AP50.
8	and h	e's not here as an expert. And you will	8	I'm just trying to understand why.
9	get y	our inspection	9	A. So you would have to follow up with
10		MR. CHAPMAN: Great.	10	Jason on this one, but Jason's done multiple surveys
11		MR. RODGERS: as you know.	11	of the vessel over his history. So I know that he
12		And we'll get ours of the bridge, right?	12	utilizes the preexisting and notes any changes on it.
13		MR. CHAPMAN: Offered this Friday, if	13	So that could be a simple typo by Jason Meyerrose.
14		ant to come look at it, okay? It's	14	MR. CHAPMAN: Could you mark this as 34,
15	avail		15	please.
16	Q.	So let me flip back	16	(Exhibit 34, Voyage Plan, marked for
17	A.	Sure.	17	identification, as of this date.)
18	Q.	to page 800.	18	Q. So you've got Exhibit 34?
19	Α.	Okay.	19	A. Yes, sir.
	Q.	There's two lines that are highlighted	20	Q. Yeah. So this appears to be a voyage
20	on that pag	e. This document was produced to me with	21	plan labeled Carver 000890 through 896.
21		ghting, so I don't know who put that	22	A. Yep.
21 22	_	gricing, so I don t know who put that		
21 22 23	there.		23	Q. And it appears to be a voyage plan for
21 22	_	Okay. But I want to ask you, did you?	23 24 25	Q. And it appears to be a voyage plan for the MACKENZIE ROSE on June 15, 2024, correct? A. Yes, sir.

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			April 28, 2025
	Page 322		Page 324
1	Moore - April 28, 2025	1 2	Moore - April 28, 2025
2	Q. So who is it filled out by?	-	A. Yes.
3	A. It says Lenny Baldassare on here.	3	Q. And that a weather forecast was
4	Q. Yeah. So is there a reason why his name	4	obtained, right?
5	appears in here?	5	A. Yes.
6	A. No, I do not know.	6	Q. And I guess reviewed, right? Correct?
7	Q. I'm sorry?	7	A. Yes, sir.
8	A. No, I do not know.	8	Q. Okay. So then on Section 6, it's called
9	Q. Okay. Would you ordinarily expect the	9	a 9.4 GAR risk assessment model risk assessment.
10	master or the mate to fill out the voyage plan?	10	I think we saw something earlier that referenced
11	A. I want to believe so, yes.	11	that, and you didn't know what GAR meant?
12	Q. Okay. It says it was filled out	12	A. Yes, sir.
13	June 15, 2024, 0000 hours, which I take to be	13	Q. Does this give you any more information
14	midnight	14	about what a GAR is?
15	A. Yes.	15	A. No. I still don't know what GAR stands
16	Q right?	16	for.
17	A. Yes.	17	Q. Could it be green, amber, red?
18	Q. And do you have any information that	18	MR. RODGERS: Objection.
19	Mr. Baldassare was up late at night on the 15th or	19	You can answer if it refreshes your
20	A. No, I do not know.	20	recollection. Don't guess.
21	Q or late on the night of the 14th and	21	A. Looking at 6.1, it does say GAR model
22	filling it out in the wee hours of the 15th?	22	and then parentheses green, amber, red.
23	A. I do not know.	23	So yes, that refreshes it.
24	Q. Okay. And then it looks like it	24	Q. And then it looks like there's some
25	describes all the crew members. And the tow was	25	entries for risk scores in 6.2, 6.4, 6.6, 6.8, 6.10,
	Paus 200	_	
1 _	Page 323		Page 325
1	Moore - April 28, 2025	1	Moore - April 28, 2025
2	Moore - April 28, 2025 going to be configured as pushing ahead, with an	1 2	Moore - April 28, 2025 and 6.12, right?
2 3	Moore - April 28, 2025 going to be configured as pushing ahead, with an overall length of 300 feet and a width of 55 feet,	1 2 3	Moore - April 28, 2025 and 6.12, right? A. Yes, sir.
2 3 4	Moore - April 28, 2025 going to be configured as pushing ahead, with an overall length of 300 feet and a width of 55 feet, and the draft of the tug was 14 feet, correct?	1 2 3 4	Moore - April 28, 2025 and 6.12, right? A. Yes, sir. Q. And there's a total risk score in 6.14.
2 3 4 5	Moore - April 28, 2025 going to be configured as pushing ahead, with an overall length of 300 feet and a width of 55 feet, and the draft of the tug was 14 feet, correct? A. On here, yes.	1 2 3 4 5	Moore - April 28, 2025 and 6.12, right? A. Yes, sir. Q. And there's a total risk score in 6.14. Do you know what resources
2 3 4 5 6	Moore - April 28, 2025 going to be configured as pushing ahead, with an overall length of 300 feet and a width of 55 feet, and the draft of the tug was 14 feet, correct? A. On here, yes. Q. When it says in block 3.5, Air draft of	1 2 3 4 5 6	Moore - April 28, 2025 and 6.12, right? A. Yes, sir. Q. And there's a total risk score in 6.14. Do you know what resources Mr. Baldassare would have used in order to determine
2 3 4 5 6 7	Moore - April 28, 2025 going to be configured as pushing ahead, with an overall length of 300 feet and a width of 55 feet, and the draft of the tug was 14 feet, correct? A. On here, yes. Q. When it says in block 3.5, Air draft of tug and tow, do you know whether the barge was	1 2 3 4 5 6 7	Moore - April 28, 2025 and 6.12, right? A. Yes, sir. Q. And there's a total risk score in 6.14. Do you know what resources Mr. Baldassare would have used in order to determine these risk scores?
2 3 4 5 6 7 8	Moore - April 28, 2025 going to be configured as pushing ahead, with an overall length of 300 feet and a width of 55 feet, and the draft of the tug was 14 feet, correct? A. On here, yes. Q. When it says in block 3.5, Air draft of tug and tow, do you know whether the barge was sitting up higher or the tug would have been sitting	1 2 3 4 5 6 7 8	Moore - April 28, 2025 and 6.12, right? A. Yes, sir. Q. And there's a total risk score in 6.14. Do you know what resources Mr. Baldassare would have used in order to determine these risk scores? A. No, sir, I do not.
2 3 4 5 6 7 8	Moore - April 28, 2025 going to be configured as pushing ahead, with an overall length of 300 feet and a width of 55 feet, and the draft of the tug was 14 feet, correct? A. On here, yes. Q. When it says in block 3.5, Air draft of tug and tow, do you know whether the barge was sitting up higher or the tug would have been sitting up higher?	1 2 3 4 5 6 7 8 9	Moore - April 28, 2025 and 6.12, right? A. Yes, sir. Q. And there's a total risk score in 6.14. Do you know what resources Mr. Baldassare would have used in order to determine these risk scores? A. No, sir, I do not. Q. Is there something in the safety
2 3 4 5 6 7 8 9	Moore - April 28, 2025 going to be configured as pushing ahead, with an overall length of 300 feet and a width of 55 feet, and the draft of the tug was 14 feet, correct? A. On here, yes. Q. When it says in block 3.5, Air draft of tug and tow, do you know whether the barge was sitting up higher or the tug would have been sitting up higher? A. The tug was much higher.	1 2 3 4 5 6 7 8 9 10	Moore - April 28, 2025 and 6.12, right? A. Yes, sir. Q. And there's a total risk score in 6.14. Do you know what resources Mr. Baldassare would have used in order to determine these risk scores? A. No, sir, I do not. Q. Is there something in the safety management system that sort of gives you risk score
2 3 4 5 6 7 8 9 10	Moore - April 28, 2025 going to be configured as pushing ahead, with an overall length of 300 feet and a width of 55 feet, and the draft of the tug was 14 feet, correct? A. On here, yes. Q. When it says in block 3.5, Air draft of tug and tow, do you know whether the barge was sitting up higher or the tug would have been sitting up higher? A. The tug was much higher. Q. Okay. And then there's references to	1 2 3 4 5 6 7 8 9 10 11	Moore - April 28, 2025 and 6.12, right? A. Yes, sir. Q. And there's a total risk score in 6.14. Do you know what resources Mr. Baldassare would have used in order to determine these risk scores? A. No, sir, I do not. Q. Is there something in the safety management system that sort of gives you risk score ranges or things that you need to consider?
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	Page 326			Page 328
1	Moore - April 28, 2025	1 2	3	Moore - April 28, 2025
2	You can create a course in Rose Point, not		A.	Yes in Helm, right?
3	necessarily a voyage plan in Rose Point.	3	Q.	, ,
4	Q. So do you know whether there was a	4	A.	Yes, sir.
5	voyage plan in Rose Point for this particular voyage?	5	Q.	And this one's not filled out. So you
6	A. I don't know if the courses were entered	6	•	hink, all the ones that showed where
7	into Rose Point.	7	_	required or not required, right?
8	Q. I mean, there's certainly a Rose Point	8	Α.	Yes.
9	tracking, because it's harvesting data at a some	9	Q.	And it is pages 000898 through 906.
10	regular interval about the track of the voyage,	10	13 1 4 40	On the second page of this exhibit under
11	right?	11		here it says Lookout
12	A. Yes.	12	Α.	Yes, sir.
13	Q. Okay. But this voyage plan from Rose	13	Q.	that's a looks like it's a you
14	Point sounds like a separate document that can be	14		k one of those boxes. It's required,
15	created that needs to be created before you set	15	right?	
16	out, right?	16	Α.	Yep.
17	A. Not to my knowledge. I don't it	17	Q.	If you check yes, does it open any
18	could be the verbiage is different or I've never seen	18	_	-down, like you have to pick who was the
19	a Rose Point independent of sorry, correction.	19	lookout?	
20	I've never seen a voyage plan independent on Rose	20	Α.	I don't know off the top of my head.
21	Point.	21	Q.	Or would it give you any way in which it
22	Q. The Helm system anticipates there will	22		fy a specific time that the lookout was
23	be one, though, right?	23	on watch?	
24	A. On here, yes.	24	Α.	I don't know. I'd have to look into it.
25	Q. And is that provided for your safety	25	Q.	And on the second to last page, 905,
	Page 327			Page 329
1	Moore - April 28, 2025	1	1 0 1	Moore - April 28, 2025
2	Moore - April 28, 2025 management system?	2		Moore - April 28, 2025 n 5.3 of this form, it says If a
2 3	Moore - April 28, 2025 management system? A. What the Rose Point would provide you is	2 3	prebridge tr	Moore - April 28, 2025 n 5.3 of this form, it says If a ansit or lock transit meeting was
2 3 4	Moore - April 28, 2025 management system? A. What the Rose Point would provide you is the courses, the weigh points, and any restrictions	2 3 4	prebridge tr conducted, c	Moore - April 28, 2025 n 5.3 of this form, it says If a ansit or lock transit meeting was heck Done, right?
2 3 4 5	Moore - April 28, 2025 management system? A. What the Rose Point would provide you is the courses, the weigh points, and any restrictions to drafts and whatnot. So you can interpolate that	2 3 4 5	prebridge tr conducted, d	Moore - April 28, 2025 n 5.3 of this form, it says If a ansit or lock transit meeting was heck Done, right? Yes, sir.
2 3 4 5 6	Moore - April 28, 2025 management system? A. What the Rose Point would provide you is the courses, the weigh points, and any restrictions to drafts and whatnot. So you can interpolate that as a voyage plan if you add additional other	2 3 4 5 6	prebridge tr conducted, c A. Q.	Moore - April 28, 2025 n 5.3 of this form, it says If a ansit or lock transit meeting was heck Done, right? Yes, sir. So I guess it's either yes or no. It
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2 3 4 5 6 7 8 9 10 11 12	Moore - April 28, 2025 management system? A. What the Rose Point would provide you is the courses, the weigh points, and any restrictions to drafts and whatnot. So you can interpolate that as a voyage plan if you add additional other information to it. Q. All right. MR. CHAPMAN: She needs to go off the record, and everybody needs to take a break. THE WITNESS: Okay. MR. RODGERS: Great. THE VIDEOGRAPHER: We are going off the	2 3 4 5 6 7 8 9 10 11 12 13	prebridge tr conducted, d A. Q. doesn't look A. Q. stays blank? A. Q. says yes, we	Moore - April 28, 2025 n 5.3 of this form, it says If a ansit or lock transit meeting was heck Done, right? Yes, sir. So I guess it's either yes or no. It like it's required on this form, though? It is not. Okay. So if you don't check it, it just As far as I know. Okay. And if you do check it, it just had one or it was done?
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2 3 4 5 6 7 8 9 10 11 12 13 14 15	Moore - April 28, 2025 management system? A. What the Rose Point would provide you is the courses, the weigh points, and any restrictions to drafts and whatnot. So you can interpolate that as a voyage plan if you add additional other information to it. Q. All right. MR. CHAPMAN: She needs to go off the record, and everybody needs to take a break. THE WITNESS: Okay. MR. RODGERS: Great. THE VIDEOGRAPHER: We are going off the record. The time is 6:50 p.m. (There was a recess taken.)	2 3 4 5 6 7 8 9 10 11 12 13 14	prebridge tr conducted, d A. Q. doesn't look A. Q. stays blank? A. Q. says yes, we A. would look 1	Moore - April 28, 2025 n 5.3 of this form, it says If a ansit or lock transit meeting was heck Done, right? Yes, sir. So I guess it's either yes or no. It like it's required on this form, though? It is not. Okay. So if you don't check it, it just As far as I know. Okay. And if you do check it, it just had one or it was done? I don't know what the what the icon ike.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Moore - April 28, 2025 management system? A. What the Rose Point would provide you is the courses, the weigh points, and any restrictions to drafts and whatnot. So you can interpolate that as a voyage plan if you add additional other information to it. Q. All right. MR. CHAPMAN: She needs to go off the record, and everybody needs to take a break. THE WITNESS: Okay. MR. RODGERS: Great. THE VIDEOGRAPHER: We are going off the record. The time is 6:50 p.m. (There was a recess taken.) THE VIDEOGRAPHER: Beginning Media No.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	prebridge tr conducted, c A. Q. doesn't look A. Q. stays blank? A. Q. says yes, we A. would look 1	Moore - April 28, 2025 n 5.3 of this form, it says If a ansit or lock transit meeting was heck Done, right? Yes, sir. So I guess it's either yes or no. It like it's required on this form, though? It is not. Okay. So if you don't check it, it just As far as I know. Okay. And if you do check it, it just had one or it was done? I don't know what the what the icon ike. So there's a section in Helm on Bridge
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Moore - April 28, 2025 management system? A. What the Rose Point would provide you is the courses, the weigh points, and any restrictions to drafts and whatnot. So you can interpolate that as a voyage plan if you add additional other information to it. Q. All right. MR. CHAPMAN: She needs to go off the record, and everybody needs to take a break. THE WITNESS: Okay. MR. RODGERS: Great. THE VIDEOGRAPHER: We are going off the record. The time is 6:50 p.m. (There was a recess taken.) THE VIDEOGRAPHER: Beginning Media No. 6. We are back on the record. The time is 6:59	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	prebridge tree conducted, conduct	Moore - April 28, 2025 n 5.3 of this form, it says If a ansit or lock transit meeting was heck Done, right? Yes, sir. So I guess it's either yes or no. It like it's required on this form, though? It is not. Okay. So if you don't check it, it just As far as I know. Okay. And if you do check it, it just had one or it was done? I don't know what the what the icon ike. So there's a section in Helm on Bridge requires a pretransit meeting or
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Moore - April 28, 2025 management system? A. What the Rose Point would provide you is the courses, the weigh points, and any restrictions to drafts and whatnot. So you can interpolate that as a voyage plan if you add additional other information to it. Q. All right. MR. CHAPMAN: She needs to go off the record, and everybody needs to take a break. THE WITNESS: Okay. MR. RODGERS: Great. THE VIDEOGRAPHER: We are going off the record. The time is 6:50 p.m. (There was a recess taken.) THE VIDEOGRAPHER: Beginning Media No. 6. We are back on the record. The time is 6:59 p.m.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	prebridge tree conducted, conduct	Moore - April 28, 2025 n 5.3 of this form, it says If a ansit or lock transit meeting was heck Done, right? Yes, sir. So I guess it's either yes or no. It like it's required on this form, though? It is not. Okay. So if you don't check it, it just As far as I know. Okay. And if you do check it, it just had one or it was done? I don't know what the what the icon ike. So there's a section in Helm on Bridge requires a pretransit meeting or around transit and bridges, isn't there?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Moore - April 28, 2025 management system? A. What the Rose Point would provide you is the courses, the weigh points, and any restrictions to drafts and whatnot. So you can interpolate that as a voyage plan if you add additional other information to it. Q. All right. MR. CHAPMAN: She needs to go off the record, and everybody needs to take a break. THE WITNESS: Okay. MR. RODGERS: Great. THE VIDEOGRAPHER: We are going off the record. The time is 6:50 p.m. (There was a recess taken.) THE VIDEOGRAPHER: Beginning Media No. 6. We are back on the record. The time is 6:59 p.m. MR. CHAPMAN: Would you mark this as the	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	prebridge tr conducted, d A. Q. doesn't look A. Q. stays blank? A. Q. says yes, we A. would look 1 Q. Transit that conversation A.	Moore - April 28, 2025 n 5.3 of this form, it says If a ansit or lock transit meeting was heck Done, right? Yes, sir. So I guess it's either yes or no. It like it's required on this form, though? It is not. Okay. So if you don't check it, it just As far as I know. Okay. And if you do check it, it just had one or it was done? I don't know what the what the icon ike. So there's a section in Helm on Bridge requires a pretransit meeting or around transit and bridges, isn't there? I would have to reference. There's a
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Moore - April 28, 2025 management system? A. What the Rose Point would provide you is the courses, the weigh points, and any restrictions to drafts and whatnot. So you can interpolate that as a voyage plan if you add additional other information to it. Q. All right. MR. CHAPMAN: She needs to go off the record, and everybody needs to take a break. THE WITNESS: Okay. MR. RODGERS: Great. THE VIDEOGRAPHER: We are going off the record. The time is 6:50 p.m. (There was a recess taken.) THE VIDEOGRAPHER: Beginning Media No. 6. We are back on the record. The time is 6:59 p.m. MR. CHAPMAN: Would you mark this as the next exhibit, please.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	prebridge tree conducted, conduct	Moore - April 28, 2025 n 5.3 of this form, it says If a ansit or lock transit meeting was heck Done, right? Yes, sir. So I guess it's either yes or no. It like it's required on this form, though? It is not. Okay. So if you don't check it, it just had one or it was done? I don't know what the what the icon ike. So there's a section in Helm on Bridge requires a pretransit meeting or around transit and bridges, isn't there? I would have to reference. There's a and a prearrival.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Moore - April 28, 2025 management system? A. What the Rose Point would provide you is the courses, the weigh points, and any restrictions to drafts and whatnot. So you can interpolate that as a voyage plan if you add additional other information to it. Q. All right. MR. CHAPMAN: She needs to go off the record, and everybody needs to take a break. THE WITNESS: Okay. MR. RODGERS: Great. THE VIDEOGRAPHER: We are going off the record. The time is 6:50 p.m. (There was a recess taken.) THE VIDEOGRAPHER: Beginning Media No. 6. We are back on the record. The time is 6:59 p.m. MR. CHAPMAN: Would you mark this as the next exhibit, please. (Exhibit 35, Master's Daily Report,	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	prebridge tree conducted, conduct	Moore - April 28, 2025 n 5.3 of this form, it says If a ansit or lock transit meeting was heck Done, right? Yes, sir. So I guess it's either yes or no. It like it's required on this form, though? It is not. Okay. So if you don't check it, it just As far as I know. Okay. And if you do check it, it just had one or it was done? I don't know what the what the icon ike. So there's a section in Helm on Bridge requires a pretransit meeting or around transit and bridges, isn't there? I would have to reference. There's a
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Moore - April 28, 2025 management system? A. What the Rose Point would provide you is the courses, the weigh points, and any restrictions to drafts and whatnot. So you can interpolate that as a voyage plan if you add additional other information to it. Q. All right. MR. CHAPMAN: She needs to go off the record, and everybody needs to take a break. THE WITNESS: Okay. MR. RODGERS: Great. THE VIDEOGRAPHER: We are going off the record. The time is 6:50 p.m. (There was a recess taken.) THE VIDEOGRAPHER: Beginning Media No. 6. We are back on the record. The time is 6:59 p.m. MR. CHAPMAN: Would you mark this as the next exhibit, please. (Exhibit 35, Master's Daily Report, marked for identification, as of this date.)	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	prebridge treconducted, conducted, conducted	Moore - April 28, 2025 n 5.3 of this form, it says If a ansit or lock transit meeting was heck Done, right? Yes, sir. So I guess it's either yes or no. It like it's required on this form, though? It is not. Okay. So if you don't check it, it just had one or it was done? I don't know what the what the icon ike. So there's a section in Helm on Bridge requires a pretransit meeting or around transit and bridges, isn't there? I would have to reference. There's a and a prearrival. But there's a separate section on bridge
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	management system? A. What the Rose Point would provide you is the courses, the weigh points, and any restrictions to drafts and whatnot. So you can interpolate that as a voyage plan if you add additional other information to it. Q. All right. MR. CHAPMAN: She needs to go off the record, and everybody needs to take a break. THE WITNESS: Okay. MR. RODGERS: Great. THE VIDEOGRAPHER: We are going off the record. The time is 6:50 p.m. (There was a recess taken.) THE VIDEOGRAPHER: Beginning Media No. 6. We are back on the record. The time is 6:59 p.m. MR. CHAPMAN: Would you mark this as the next exhibit, please. (Exhibit 35, Master's Daily Report, marked for identification, as of this date.) Q. You've been passed Exhibit 35,	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	prebridge treconducted, conducted, conducted	Moore - April 28, 2025 n 5.3 of this form, it says If a ansit or lock transit meeting was heck Done, right? Yes, sir. So I guess it's either yes or no. It like it's required on this form, though? It is not. Okay. So if you don't check it, it just had one or it was done? I don't know what the what the icon ike. So there's a section in Helm on Bridge requires a pretransit meeting or around transit and bridges, isn't there? I would have to reference. There's a and a prearrival.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	management system? A. What the Rose Point would provide you is the courses, the weigh points, and any restrictions to drafts and whatnot. So you can interpolate that as a voyage plan if you add additional other information to it. Q. All right. MR. CHAPMAN: She needs to go off the record, and everybody needs to take a break. THE WITNESS: Okay. MR. RODGERS: Great. THE VIDEOGRAPHER: We are going off the record. The time is 6:50 p.m. (There was a recess taken.) THE VIDEOGRAPHER: Beginning Media No. 6. We are back on the record. The time is 6:59 p.m. MR. CHAPMAN: Would you mark this as the next exhibit, please. (Exhibit 35, Master's Daily Report, marked for identification, as of this date.) Q. You've been passed Exhibit 35, Mr. Moore, which looks like the standard form for the	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	prebridge treconducted, conducted, conducted	Moore - April 28, 2025 n 5.3 of this form, it says If a ansit or lock transit meeting was heck Done, right? Yes, sir. So I guess it's either yes or no. It like it's required on this form, though? It is not. Okay. So if you don't check it, it just had one or it was done? I don't know what the what the icon ike. So there's a section in Helm on Bridge requires a pretransit meeting or around transit and bridges, isn't there? I would have to reference. There's a and a prearrival. But there's a separate section on bridge There is a separate section on bridge
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	management system? A. What the Rose Point would provide you is the courses, the weigh points, and any restrictions to drafts and whatnot. So you can interpolate that as a voyage plan if you add additional other information to it. Q. All right. MR. CHAPMAN: She needs to go off the record, and everybody needs to take a break. THE WITNESS: Okay. MR. RODGERS: Great. THE VIDEOGRAPHER: We are going off the record. The time is 6:50 p.m. (There was a recess taken.) THE VIDEOGRAPHER: Beginning Media No. 6. We are back on the record. The time is 6:59 p.m. MR. CHAPMAN: Would you mark this as the next exhibit, please. (Exhibit 35, Master's Daily Report, marked for identification, as of this date.) Q. You've been passed Exhibit 35,	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	prebridge treconducted, conducted, conducted	Moore - April 28, 2025 n 5.3 of this form, it says If a ansit or lock transit meeting was heck Done, right? Yes, sir. So I guess it's either yes or no. It like it's required on this form, though? It is not. Okay. So if you don't check it, it just had one or it was done? I don't know what the what the icon ike. So there's a section in Helm on Bridge requires a pretransit meeting or around transit and bridges, isn't there? I would have to reference. There's a and a prearrival. But there's a separate section on bridge

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_	Page 330	1	Page 332
1 2	Moore - April 28, 2025	1 2	Moore - April 28, 2025 decide lookouts or not.
3	A. I would have to look at it, but Q. But the only way you track whether it	3	MR. RODGERS: What section was that?
4	was done is if the master checks this box, right?	4	1-17 -14- 9-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 11-14- 1
5		5	Sorry. MR. CHAPMAN: 1.13.
6	A. I yes.Q. And that's part of your safety	6	THE WITNESS: It's on 20.
7	management system?	7	MR. CHAPMAN: Yeah, page 20.
8	A. Yep.	8	MR. RODGERS: On 6/15/24, right?
9	MR. CHAPMAN: Would you mark that as 36,	9	MR. CHAPMAN: Yeah.
10	please.	10	THE WITNESS: Yes.
11	(Exhibit 36, Master's Daily Report,	11	MR. RODGERS: Okay. Got you.
12	marked for identification, as of this date.)	12	Q. So from Carver's perspective, it's
13	Q. You've been handed Exhibit 36, which	13	completely up to the captain's discretion or whoever
14	consists of Carver 000001 to 24, which I think are	14	the officer of the watch is whether to post a
15	the reports the daily reports from June 12th	15	lookout, right?
16	of '24 through June 16th of '24.	16	MR. RODGERS: Objection to form.
17	A. Yes, sir.	17	You can answer.
18	Q. Excuse me. I think it actually goes	18	A. Captain has ultimate overall
19	only goes through June 15th of 2024	19	authority of the vessel.
20	A. Yes, it does.	20	Q. I realize that. I'm just but my
21	Q not the 16th.	21	question is it's Carver is basically saying it's
22	So these are the forms that are actually	22	the captain's discretion whether to have a lookout
23	filled out over that time period.	23	posted during
24	-	24	A. I would have to
25	And so if you look at page 19 A. Okay.	25	0 that transit?
23	A. Okay.	23	Q that transit:
_	Page 331	1	Page 333
1	Moore - April 28, 2025	1	Moore - April 28, 2025
2 3	Q this is the one for the 15th, and it	3	A. I would have to reference the SMS for
4	looks like it was filled out by Captain Miller at 2355 hours.	4	any lookout particulars, but yes, it would be up to the captain or the officer on the watch.
5			MR. CHAPMAN: Would you mark that as the
6			
ı n	A. Yes, sir.	5	-
	Q. That would have been probably the tail	6	next exhibit, please. I think it's 37.
7	Q. That would have been probably the tail end of his second watch	6 7	next exhibit, please. I think it's 37. (Exhibit 37, Master's Daily Report Log,
7 8	Q. That would have been probably the tail end of his second watch A. Yes.	6 7 8	next exhibit, please. I think it's 37. (Exhibit 37, Master's Daily Report Log, marked for identification, as of this date.)
7 8 9	Q. That would have been probably the tail end of his second watch A. Yes. Q right?	6 7 8 9	next exhibit, please. I think it's 37. (Exhibit 37, Master's Daily Report Log, marked for identification, as of this date.) Q. So Mr. Moore, you've been handed
7 8 9 10	Q. That would have been probably the tail end of his second watch A. Yes. Q right? And if you look in block 1.13 on page	6 7 8 9	next exhibit, please. I think it's 37. (Exhibit 37, Master's Daily Report Log, marked for identification, as of this date.) Q. So Mr. Moore, you've been handed Exhibit 37, which is Carver 156 through I think
7 8 9 10 11	Q. That would have been probably the tail end of his second watch A. Yes. Q right? And if you look in block 1.13 on page 20, it's just the Lookout is N/A, not applicable?	6 7 8 9 10	next exhibit, please. I think it's 37. (Exhibit 37, Master's Daily Report Log, marked for identification, as of this date.) Q. So Mr. Moore, you've been handed Exhibit 37, which is Carver 156 through I think it's 160? Check the last page there.
7 8 9 10 11 12	Q. That would have been probably the tail end of his second watch A. Yes. Q right? And if you look in block 1.13 on page 20, it's just the Lookout is N/A, not applicable? A. Yes.	6 7 8 9 10 11 12	next exhibit, please. I think it's 37. (Exhibit 37, Master's Daily Report Log, marked for identification, as of this date.) Q. So Mr. Moore, you've been handed Exhibit 37, which is Carver 156 through I think it's 160? Check the last page there. A. Yes.
7 8 9 10 11 12	Q. That would have been probably the tail end of his second watch A. Yes. Q right? And if you look in block 1.13 on page 20, it's just the Lookout is N/A, not applicable? A. Yes. Q. So the options are yes, no, not	6 7 8 9 10 11 12 13	next exhibit, please. I think it's 37. (Exhibit 37, Master's Daily Report Log, marked for identification, as of this date.) Q. So Mr. Moore, you've been handed Exhibit 37, which is Carver 156 through I think it's 160? Check the last page there. A. Yes. Q. Might be 161, but
7 8 9 10 11 12 13 14	Q. That would have been probably the tail end of his second watch A. Yes. Q right? And if you look in block 1.13 on page 20, it's just the Lookout is N/A, not applicable? A. Yes. Q. So the options are yes, no, not applicable, right?	6 7 8 9 10 11 12 13 14	next exhibit, please. I think it's 37. (Exhibit 37, Master's Daily Report Log, marked for identification, as of this date.) Q. So Mr. Moore, you've been handed Exhibit 37, which is Carver 156 through I think it's 160? Check the last page there. A. Yes. Q. Might be 161, but A. 161.
7 8 9 10 11 12 13 14 15	Q. That would have been probably the tail end of his second watch A. Yes. Q right? And if you look in block 1.13 on page 20, it's just the Lookout is N/A, not applicable? A. Yes. Q. So the options are yes, no, not applicable, right? A. Correct.	6 7 8 9 10 11 12 13 14 15	next exhibit, please. I think it's 37. (Exhibit 37, Master's Daily Report Log, marked for identification, as of this date.) Q. So Mr. Moore, you've been handed Exhibit 37, which is Carver 156 through I think it's 160? Check the last page there. A. Yes. Q. Might be 161, but A. 161. Q. Okay. So that looks to me to be
7 8 9 10 11 12 13 14 15 16	Q. That would have been probably the tail end of his second watch A. Yes. Q right? And if you look in block 1.13 on page 20, it's just the Lookout is N/A, not applicable? A. Yes. Q. So the options are yes, no, not applicable, right? A. Correct. Q. So you're transiting four bridges from	6 7 8 9 10 11 12 13 14 15	next exhibit, please. I think it's 37. (Exhibit 37, Master's Daily Report Log, marked for identification, as of this date.) Q. So Mr. Moore, you've been handed Exhibit 37, which is Carver 156 through I think it's 160? Check the last page there. A. Yes. Q. Might be 161, but A. 161. Q. Okay. So that looks to me to be virtually identical to the one that begins on
7 8 9 10 11 12 13 14 15 16 17	Q. That would have been probably the tail end of his second watch A. Yes. Q right? And if you look in block 1.13 on page 20, it's just the Lookout is N/A, not applicable? A. Yes. Q. So the options are yes, no, not applicable, right? A. Correct. Q. So you're transiting four bridges from Coastal Precast Systems down to the sea buoy.	6 7 8 9 10 11 12 13 14 15 16 17	next exhibit, please. I think it's 37. (Exhibit 37, Master's Daily Report Log, marked for identification, as of this date.) Q. So Mr. Moore, you've been handed Exhibit 37, which is Carver 156 through I think it's 160? Check the last page there. A. Yes. Q. Might be 161, but A. 161. Q. Okay. So that looks to me to be virtually identical to the one that begins on Exhibit 36, beginning at page 19.
7 8 9 10 11 12 13 14 15 16 17	Q. That would have been probably the tail end of his second watch A. Yes. Q right? And if you look in block 1.13 on page 20, it's just the Lookout is N/A, not applicable? A. Yes. Q. So the options are yes, no, not applicable, right? A. Correct. Q. So you're transiting four bridges from Coastal Precast Systems down to the sea buoy. Why is there no lookout for those? Why	6 7 8 9 10 11 12 13 14 15 16 17	next exhibit, please. I think it's 37. (Exhibit 37, Master's Daily Report Log, marked for identification, as of this date.) Q. So Mr. Moore, you've been handed Exhibit 37, which is Carver 156 through I think it's 160? Check the last page there. A. Yes. Q. Might be 161, but A. 161. Q. Okay. So that looks to me to be virtually identical to the one that begins on Exhibit 36, beginning at page 19. You can pull 36 out and look at page 19
7 8 9 10 11 12 13 14 15 16 17 18	Q. That would have been probably the tail end of his second watch A. Yes. Q right? And if you look in block 1.13 on page 20, it's just the Lookout is N/A, not applicable? A. Yes. Q. So the options are yes, no, not applicable, right? A. Correct. Q. So you're transiting four bridges from Coastal Precast Systems down to the sea buoy. Why is there no lookout for those? Why is it not applicable?	6 7 8 9 10 11 12 13 14 15 16 17 18	next exhibit, please. I think it's 37. (Exhibit 37, Master's Daily Report Log, marked for identification, as of this date.) Q. So Mr. Moore, you've been handed Exhibit 37, which is Carver 156 through I think it's 160? Check the last page there. A. Yes. Q. Might be 161, but A. 161. Q. Okay. So that looks to me to be virtually identical to the one that begins on Exhibit 36, beginning at page 19. You can pull 36 out and look at page 19 of Exhibit 36.
7 8 9 10 11 12 13 14 15 16 17 18 19	Q. That would have been probably the tail end of his second watch A. Yes. Q right? And if you look in block 1.13 on page 20, it's just the Lookout is N/A, not applicable? A. Yes. Q. So the options are yes, no, not applicable, right? A. Correct. Q. So you're transiting four bridges from Coastal Precast Systems down to the sea buoy. Why is there no lookout for those? Why is it not applicable? MR. RODGERS: Objection.	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	next exhibit, please. I think it's 37. (Exhibit 37, Master's Daily Report Log, marked for identification, as of this date.) Q. So Mr. Moore, you've been handed Exhibit 37, which is Carver 156 through I think it's 160? Check the last page there. A. Yes. Q. Might be 161, but A. 161. Q. Okay. So that looks to me to be virtually identical to the one that begins on Exhibit 36, beginning at page 19. You can pull 36 out and look at page 19 of Exhibit 36. A. Page 19?
7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q. That would have been probably the tail end of his second watch A. Yes. Q right? And if you look in block 1.13 on page 20, it's just the Lookout is N/A, not applicable? A. Yes. Q. So the options are yes, no, not applicable, right? A. Correct. Q. So you're transiting four bridges from Coastal Precast Systems down to the sea buoy. Why is there no lookout for those? Why is it not applicable? MR. RODGERS: Objection. A. It's not restrictive visibility.	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	next exhibit, please. I think it's 37. (Exhibit 37, Master's Daily Report Log, marked for identification, as of this date.) Q. So Mr. Moore, you've been handed Exhibit 37, which is Carver 156 through I think it's 160? Check the last page there. A. Yes. Q. Might be 161, but A. 161. Q. Okay. So that looks to me to be virtually identical to the one that begins on Exhibit 36, beginning at page 19. You can pull 36 out and look at page 19 of Exhibit 36. A. Page 19? Q. Yeah.
7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q. That would have been probably the tail end of his second watch A. Yes. Q right? And if you look in block 1.13 on page 20, it's just the Lookout is N/A, not applicable? A. Yes. Q. So the options are yes, no, not applicable, right? A. Correct. Q. So you're transiting four bridges from Coastal Precast Systems down to the sea buoy. Why is there no lookout for those? Why is it not applicable? MR. RODGERS: Objection. A. It's not restrictive visibility. Q. That's the only reason?	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	next exhibit, please. I think it's 37. (Exhibit 37, Master's Daily Report Log, marked for identification, as of this date.) Q. So Mr. Moore, you've been handed Exhibit 37, which is Carver 156 through I think it's 160? Check the last page there. A. Yes. Q. Might be 161, but A. 161. Q. Okay. So that looks to me to be virtually identical to the one that begins on Exhibit 36, beginning at page 19. You can pull 36 out and look at page 19 of Exhibit 36. A. Page 19? Q. Yeah. A. Okay.
7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Q. That would have been probably the tail end of his second watch A. Yes. Q right? And if you look in block 1.13 on page 20, it's just the Lookout is N/A, not applicable? A. Yes. Q. So the options are yes, no, not applicable, right? A. Correct. Q. So you're transiting four bridges from Coastal Precast Systems down to the sea buoy. Why is there no lookout for those? Why is it not applicable? MR. RODGERS: Objection. A. It's not restrictive visibility. Q. That's the only reason? A. It's up to the captain's discretion. If	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	next exhibit, please. I think it's 37. (Exhibit 37, Master's Daily Report Log, marked for identification, as of this date.) Q. So Mr. Moore, you've been handed Exhibit 37, which is Carver 156 through I think it's 160? Check the last page there. A. Yes. Q. Might be 161, but A. 161. Q. Okay. So that looks to me to be virtually identical to the one that begins on Exhibit 36, beginning at page 19. You can pull 36 out and look at page 19 of Exhibit 36. A. Page 19? Q. Yeah. A. Okay. Q. You see that?
7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q. That would have been probably the tail end of his second watch A. Yes. Q right? And if you look in block 1.13 on page 20, it's just the Lookout is N/A, not applicable? A. Yes. Q. So the options are yes, no, not applicable, right? A. Correct. Q. So you're transiting four bridges from Coastal Precast Systems down to the sea buoy. Why is there no lookout for those? Why is it not applicable? MR. RODGERS: Objection. A. It's not restrictive visibility. Q. That's the only reason?	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	next exhibit, please. I think it's 37. (Exhibit 37, Master's Daily Report Log, marked for identification, as of this date.) Q. So Mr. Moore, you've been handed Exhibit 37, which is Carver 156 through I think it's 160? Check the last page there. A. Yes. Q. Might be 161, but A. 161. Q. Okay. So that looks to me to be virtually identical to the one that begins on Exhibit 36, beginning at page 19. You can pull 36 out and look at page 19 of Exhibit 36. A. Page 19? Q. Yeah. A. Okay.

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1	D 004	_	D 000
	Page 334 Moore - April 28, 2025	1	Page 336 Moore - April 28, 2025
2	at the top of the form, it's the same date, but	2	Coast Guard is short on manpower. So years ago when
3	there's a difference of one hour.	3	they initiated Subchapter M, they designated
4	The one in Exhibit 36 is at 2355 hours.	4	third-party options. One could be either Coast Guard
5	and the one in Exhibit 37 is at 2255 hours.	5	approval; one would be American Bureau of Shipping;
6	Is there a way to submit duplicate	6	another one could be Towing Vessel Inspection Bureau.
7	reports in this Helm system?	7	I'm not sure if there's other ones, but there's other
8	A. Not that not to my knowledge.	8	third-party organizations that inspect the vessels
9	Q. Is there a reason that you know of that	9	due to the Coast Guard's manpower shortage.
10	there would be a second report that appears to be	10	Q. So this outfit, Towing Vessel Inspection
11	dated an hour earlier?	11	Bureau, is the one that has actually inspected the
12	A. No, I do not know.	12	vessel?
13	Q. Once a report is submitted, can the	13	A. Yes. The Coast Guard has the option to
14	timing can the reference to the time of the report	14	call upon the vessel, but yes, TVIB was the
15	be changed in any way?	15	inspectors.
16	A. Until the captain closes it out, you	16	Q. So you have a certificate issued by the
17	can once he signs off on it for the day, you can	17	Towing Vessel Inspection Bureau?
18	enter as needed.	18	A. Somewhere there must be, yes. I would
19	Q. You mean until he signs off on it?	19	have to reference it, pull it up.
20	A. Yeah, correct.	20	Q. It sounds like it would have been
21	Q. Okay.	21	submitted to the Coast Guard?
22	A. But I don't know how I don't know how	22	A. Well, the Coast Guard yes.
23	the time stamps would be different on that one.	23	Correction. It so the Coast Guard receives the
24	Q. Okay.	24	inspection report from TVIB, and then once they
25	MR. CHAPMAN: Mark this as 38, please.	25	approve that inspection report, the Coast Guard
	_		
1	Page 335 Moore - April 28, 2025	1	Page 337
	1001C April 20, 2025		
	(Exhibit 38 Certificate of Inspection	1 2	Moore - April 28, 2025
2	(Exhibit 38, Certificate of Inspection,	2	issues out the certificate of inspections.
2 3	marked for identification, as of this date.)	2 3	issues out the certificate of inspections. Q. And when this COI, certificate of
2 3 4	marked for identification, as of this date.) Q. Mr. Moore, I believe this is the	2 3 4	issues out the certificate of inspections. Q. And when this COI, certificate of inspection, was last issued, were there any
2 3 4 5	marked for identification, as of this date.) Q. Mr. Moore, I believe this is the Certificate of Inspection for the MACKENZIE ROSE	2 3 4 5	issues out the certificate of inspections. Q. And when this COI, certificate of inspection, was last issued, were there any requirements that the Coast Guard imposed or the
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2 3 4 5 6 7	marked for identification, as of this date.) Q. Mr. Moore, I believe this is the Certificate of Inspection for the MACKENZIE ROSE A. Yes, sir. Q numbered Carver 000792 through 794,	2 3 4 5 6 7	issues out the certificate of inspections. Q. And when this COI, certificate of inspection, was last issued, were there any requirements that the Coast Guard imposed or the Towing Vessel Inspection Bureau imposed that you had to required some correction of the vessel before a
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	marked for identification, as of this date.) Q. Mr. Moore, I believe this is the Certificate of Inspection for the MACKENZIE ROSE A. Yes, sir. Q numbered Carver 000792 through 794, correct? A. Yes, it is. Q. And this is the one that was in effect when the allision occurred, right? A. Yep. Q. So if you look on page 2, about the middle of the page, it begins with the statement This vessel has been certificated in accordance with the Towing Safety Management System (TSMS) option utilizing the external survey program. The Towing Vessel Inspection Bureau is the approved third-party organization. The TSMS certificate number associated with this vessel is CMT-2018-99. Where do we find that document? A. We would have to get it from the Towing	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	issues out the certificate of inspections. Q. And when this COI, certificate of inspection, was last issued, were there any requirements that the Coast Guard imposed or the Towing Vessel Inspection Bureau imposed that you had to required some correction of the vessel before a certificate would be issued? A. No. They won't issue a COI with any open items. Q. But they would notify you what the open items are A. Correct, yes. Q right? And that was my question is were there any? A. That was before my time. I wasn't aware of any. MR. CHAPMAN: Would you mark this as the next exhibit, please. (Exhibit 39, Letter dated June 20, 2024, marked for identification, as of this date.)

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Document 72-2

			April 28, 2025
	Page 338		Page 340
1	Moore - April 28, 2025	1	Moore - April 28, 2025
2	Q to the deposition, which is a letter	2	demand this, and we then produce, and you
3	that I sent to Mr. Nick Laraway dated June 20, 2024,	3	know, you're not entitled to do this, because it
4	and it shows a copy to you on page 2.	4	actually impedes on what his former lawyer asked
5	A. Okay.	5	him to do or we asked him to do. And that's
6	Q. So is that your e-mail at Carver?	6	attorney-client privilege, until the court tells
7	A. Yes.	7	us otherwise.
8	Q. So do you recall receiving this letter?	8	MR. CHAPMAN: So
9	A. I don't recall it, but I've seen it.	9	MR. RODGERS: We're not here to have a
10	Q. It was asking you to preserve asking	10	hearing on preservation. It's not fair to the
11	Mr. Laraway to preserve information that might	11	witness, and I don't think it's appropriate, to
12	otherwise be lost, right?	12	be honest. So I'm not going to have him answer
13	A. Yes, sir.	13	whether he or Carver actually complied with your
14	Q. Okay. Did you do anything in response	14	letter. You're not his attorney, and you sent
15	to it to preserve any of the requested information?	15	it directly to a party, and whether or not you
16	A. I did not do anything in particular.	16	knew who the attorney was is beside the point.
17	Q. Do you know whether Mr. Laraway did?	17	If you find out later that there's been things
18	A. No, I don't know what Mr. Laraway did,	18	that weren't preserved, then you make your
19	either.	19	motion.
20	Q. And it specifically requests around	20	MR. CHAPMAN: And I'm testing right now
21	preserving texts, e-mails, voicemails and messaging	21	what was preserved.
22	service communications.		MR. RODGERS: Well, I'm going to tell
		22	
23	You told us that the phone that you had	23	him not to answer to anything that has to do
24	at the time you since replaced	24	with this letter. You've asked him if he
25	A. Yes.	25	preserved things during this deposition, and he
	Page 339		Page 341
1	Moore - April 28, 2025	1	Moore - April 28, 2025
2		1	
1	Q right?	2	answered you whether he thought they had it or
3	Q right? So were the texts, e-mails, voicemails,	2 3	answered you whether he thought they had it or whatever, but not to this letter. This is
3	So were the texts, e-mails, voicemails,	3	whatever, but not to this letter. This is
3 4	So were the texts, e-mails, voicemails, or other messages on that device preserved before you	3 4	whatever, but not to this letter. This is not this is not appropriate.
3 4 5	So were the texts, e-mails, voicemails, or other messages on that device preserved before you got rid of it?	3 4 5	whatever, but not to this letter. This is not this is not appropriate. MR. CHAPMAN: Are you done?
3 4 5 6	So were the texts, e-mails, voicemails, or other messages on that device preserved before you got rid of it? A. It would still be a cloud-based backup	3 4 5 6	whatever, but not to this letter. This is not this is not appropriate. MR. CHAPMAN: Are you done? MR. RODGERS: Not really, but you can
3 4 5 6 7	So were the texts, e-mails, voicemails, or other messages on that device preserved before you got rid of it? A. It would still be a cloud-based backup for the iCloud, which is an iPhone. So I'm not sure.	3 4 5 6 7	whatever, but not to this letter. This is not this is not appropriate. MR. CHAPMAN: Are you done? MR. RODGERS: Not really, but you can go.
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			April 28, 2025
	Page 342		Page 344
1	Moore - April 28, 2025	1	Moore - April 28, 2025
2	Q. Have you seen this photograph before?	2	A. I would have to reference the SMS, but
3	A. Yes. After the fact, yes.	3	yes, it that form is in Helm.
4	Q. Obviously, this was taken from the land	4	Q. And who completes that form?
5	side?	5	A. The onboard captain or mate or
6	A. Yes, sir.	6	designated crew member giving the orientation.
7	Q. Okay. Did you have this photograph	7	Q. And is there any sort of oversight of
8	before you submitted the report to the Coast Guard?	8	that process, somebody ensures that it was done,
9	A. No.	9	before people are allowed to sail on one of your
10	Q. You didn't see it before then?	10	tugs?
11	A. No, sir.	11	A. I would have to reference it, but I
12	MR. RODGERS: Is that not the normal way	12	believe it auto populates once a new crew member is
13	the track moves? A little bit of a roller	13	assigned to that vessel.
14	coaster.	14	Q. And it's but it's overseen by either
15	Q. Are there any written materials, manuals	15	the master or the mate
16	or handbooks, that are given to new hires at the	16	A. Correct, yes.
17	towing company?	17	Q on the vessel?
18	A. I would have to refer to HR. Once	18	A. Yes, sir.
19	issued out, there's an employee benefits guide, and I	19	Q. So can the deckhands access the safety
20	don't exactly remember what else is issued out, if	20	management system?
21	anything.	21	A. Yes, they should be able to.
22	Q. Is there anything provided to them in	22	Q. How do they do that?
23	the nature of the marine work that they're going to	23	A. Through the wheelhouse computer.
24	be doing?	24	Q. So the only access on the vessel is in
25	A. No.	25	the wheelhouse on the laptop in there?
	Page 343		Page 345
1	Moore - April 28, 2025	1	Moore - April 28, 2025
2	Moore - April 28, 2025 Q. Like a safety rule book or that sort of	2	Moore - April 28, 2025 A. Yes, because that's the most updated
2 3	Moore - April 28, 2025 Q. Like a safety rule book or that sort of thing?	2	Moore - April 28, 2025 A. Yes, because that's the most updated the most updated document control.
2 3 4	Moore - April 28, 2025 Q. Like a safety rule book or that sort of thing? A. No. They're to review the SMS on vessel	2 3 4	Moore - April 28, 2025 A. Yes, because that's the most updated the most updated document control. Q. So if a deckhand wanted to enter a
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2 3 4 5 6	Moore - April 28, 2025 Q. Like a safety rule book or that sort of thing? A. No. They're to review the SMS on vessel orientation. Q. So when you say review the SMS, can you	2 3 4 5	Moore - April 28, 2025 A. Yes, because that's the most updated the most updated document control. Q. So if a deckhand wanted to enter a complaint about how a master was either treating him or some concern that he didn't feel like was being
2 3 4 5 6 7	Q. Like a safety rule book or that sort of thing? A. No. They're to review the SMS on vessel orientation. Q. So when you say review the SMS, can you tell us what's involved with a new hire doing that.	2 3 4 5 6 7	Moore - April 28, 2025 A. Yes, because that's the most updated the most updated document control. Q. So if a deckhand wanted to enter a complaint about how a master was either treating him or some concern that he didn't feel like was being sufficiently addressed, is there a system for that in
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Moore - April 28, 2025 Q. Like a safety rule book or that sort of thing? A. No. They're to review the SMS on vessel orientation. Q. So when you say review the SMS, can you tell us what's involved with a new hire doing that. A. They the onboard captain or mate or whoever the assigned person is, whenever it's a either a new deckhand to another captain, they go through the motions of inspecting the vessel, make sure all the they know where all the safety equipment is; and then I believe also on there is where to reference the SMS and login to access it. But I would have to look at the onboarding sheets to be more accurate. Q. So there's is that a Helm sheet, onboarding sheet? A. Yes, correct. Yes, sir. Q. Okay. It would tell you something about the orientation training that they got? A. Yes. Q. All right. And that would be something	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A. Yes, because that's the most updated the most updated document control. Q. So if a deckhand wanted to enter a complaint about how a master was either treating him or some concern that he didn't feel like was being sufficiently addressed, is there a system for that in Carver to that they can make a complaint and not be treated like a whistleblower or something like that? A. Right. So they have every crew member is issued at the stop work authority, so they can, you know, voice their opinion to whomever there. The role is a designated person ashore is also to be the middleman from the crew member to another manager or sorts, where I would or whomever the DPA is at the time, would go through it, hear them out, and then steer it in the right avenue. It's through HR or if it's through engineering or if it's through deck operations. So that's me falling under DPA, and then HR also is very open on having an open door policy with HR. Q. So it sounds like there's a pretty, I'll

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1 Moore - Agril 28, 2025 2 sort of thing				April 28, 2025
2 can any data be downloaded from the aut 4 0 right? 5 And is that nonitored or kind of 6 supervised in some way? 7 A. I don't have the knowledge on that one, 8 how it would be monitored. 8 now it would be monitored. 10 any oversight on it? 11 A. I've never gotten any calls, e-mails, or 12 any purpose to utilize that from any deckhand or crew 13 members or anybody. So HW would have the bast 14 insight on that. 15 Q. So it might have happened, and it went 16 through HE or something and you weren't dialed into 17 it? 18 A. It is possible. 19 Q. For these new hires, are there any 10 teating that's done to, you lown, ensure that they 11 loans to perform the duties on the tug before 12 they 're allowed to serve? 13 A. Before there is the I would have the 14 right I don't know of the top of my head. It's 15 in the SMS, but there are forms for crew members to 15 the port captain or a some sort of 15 the port captain or a some sort of 15 the port captain or a some sort of 16 the port captain or a some sort of 17 the port captain or a some sort of 18 a. Not that I'm aware of. 19 Q. For she have a submitting the report to the Coast Glard, did you 14 determine that the auto pilor system was actually 15 engaged during the transit that led to the allision? 16 A. I didn't I couldn't is denictly it, if 17 it was actually engaged or not. I don't know if 18 there's a report that auto pilor system was actually 19 control of the				Page 348
A Yes, sir. Q right? And is that monitored or kind of supervised in some way? And is that monitored or kind of supervised in some way? Q. Do you have any input into it or have any ownersight on it? A. I've never gotten any calls, e-mails, or any uprose to utilize that from any deckhard or crew american any conversight on it? A. I've never gotten any calls, e-mails, or any ownersight on it? A. I've never gotten any calls, e-mails, or any owners dutilize that from any deckhard or crew american any calls, e-mails, or any uprose to utilize that from any deckhard or crew american any calls, e-mails, or any uprose to utilize that from any deckhard or crew in any ownership on it? A. I've never gotten any calls, e-mails, or any uprose to utilize that from any deckhard or crew in any ownership on it? A. I've never gotten any calls, e-mails, or any uprose to utilize that from any deckhard or crew in any ownership on it? A. I've never gotten any calls, e-mails, or any uprose to utilize that from any deckhard or crew in any ownership on it? A. I've never gotten any calls, e-mails, or any uprose to utilize that from any deckhard or crew in any ownership on it? A. I've never gotten any calls, e-mails, or any uprose to utilize that from any deckhard or crew in the could be double deckhard in the control or crew they call the cond that it is possible. D. So it might be the best I've not believe we did ask Ayers after the fact and GRT, and they - I would have to reference that and GRT, and they - I would have to reference that and GRT, and they - I would have to reference or any not on that. I've not believe we. Call ask Ayers after the fact and GRT, and they - I would have to reference on any not on that. I've not believe we. Call ask Ayers after the fact and GRT, and they - I would have to reference on any not on that. I've not believe we. Call ask Ayers after the fact and GRT, and they - I would have the best I've not any uprosert the due to the hall ask and the converted to the cost of well ask and the		<u>-</u>		
4 pilot? 5 And is that menitored or kind of 6 supervised in some way? 7 A. I don't have the knowledge on that one, 8 how it would be monitored. 9 Q. Do you have any input into it or have 10 any oversight on it? 11 A. I've never gotten any calls, e-mails, or 12 any purpose to utilize that from any deckhand or crew 13 members or anybody. So HR would have the best 14 insight on that. 15 Q. So it might have happened, and it went 16 through Ror something and you weren't dialed into 17 it? 18 A. It is possible. 19 Q. For these new hires, are there any 20 testing that's done to, you know, ensure that they 21 know how to perform the duries on the tug before 22 they're allowed to serve? 23 A. Before there is the I would have the 24 right I don't know off the top of my head. It's 25 in the SMS, but there are forms for crew members to 26 Q. And is lookout training part of that 27 process? 28 A. Not that I'm aware of. 29 Q. Is kridge transiting part of that 4 A. A senior captain or a some sort of 5 the port captain role. 6 Q. And is lookout training part of that 7 process? 8 A. Not that I'm aware of. 9 Q. Is kridge transiting part of that 9 process? 11 A. Not that I'm aware of. 12 Q. During the invertigation you did before 13 submitting the report to the Coast Coand, did you 14 determine that the auto pilot system was actually 15 ergaged during the transatt that led to the allision? 16 A. I didn't I couldn't identify it, if if 17 it was actually engaged or not. I don't know if 18 there's a report that auto pilot system was actually 19 capted the process? 10 Q. You just know what Captain Morrissey 10 C. You just know what Captain Morrissey 11 told you? 12 A. Yes, sir. 13 A. Not that I'm aware of. 14 Q. So is there somebody specific in the 15 Carver Marine Toding organization that typically doe 16 there is a report that auto pilot system was actually 17 a. I'we always performed by a senior 18 a have the contraction of a system was actually 19 captain or a port organization that typically doe 19 captain or a port		_		
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			April 28, 2025
١.	Page 350		Page 352
1	Moore - April 28, 2025	1	Moore - April 28, 2025
2	Q. So it would be one or the other?	2	bridges?
3	A. Yes.	3	A. No, I'm not.
4	Q. Okay. So who's the other guy?	4	Q. What's the purpose of having an auto
5	A. Mark Pearson.	5	pilot on the MACKENZIE ROSE?
6	Q. Mark Pearson?	6	MR. RODGERS: Objection. He's not an
7	A. Yes. He's the guy you referenced	7	expert.
8	before, earlier.	8	You can testify if you know.
9	Q. Oh, I apologize. I thought Pearson was	9	A. I honestly don't know the purpose of it,
10	the only one. You've but you've since hired	10	besides holding course.
11	somebody else?	11	Q. Can an auto pilot system adjust for
12	A. I have we transitioned another one,	12	changes in either river current or the drift of the
13	Adam Clark, who has also been with the company for a	13	barge or make course corrections on its own?
14	while, but he was sailing as captain. And a few	14	A. I
15	months ago, we escalated him up to a working port	15	MR. RODGERS: He's not again, he's
16	captain. So still sails actively, opposite of	16	not here as an expert, but he can testify as to
17	Captain Mark Pearson.	17	his own understanding.
18		18	A. I don't know. I've not come across
19	Q. And I'm sorry. I you said his name and it what was it again?	19	that.
20	A. Adam Clark.	20	Q. I'm sorry. You've not come across an
21	Q. Adam Clark?	21	auto pilot system that can do any of those things?
22	A. Yes, sir.	22	A. That can course
23	Q. Is Clark with an E?	23	Q. Correct.
24	A. C-L-A-R-K.	24	A can change course on your own? No.
25	Q. And how frequently are those, I'll call	25	We in the tug and barge world, that's not a common
	Page 351		Page 353
1	Moore - April 28, 2025	1	Moore - April 28, 2025
2	them, ride-alongs?	2	thing.
3	A. Oh. They're performed annually, at	3	Q. Okay. So is it a common thing that the
4	minimum.	4	
5	management.	-	auto pilot, for whatever reason, will cause the
	Q. And is there a report in Helm that gets	5	auto pilot, for whatever reason, will cause the rudders to go hard over?
6			-
6 7	Q. And is there a report in Helm that gets	5	rudders to go hard over?
	Q. And is there a report in Helm that gets filled out for those? A. Yes, sir.	5	rudders to go hard over? MR. RODGERS: Objection. A. I've never I've never had that occur
7	Q. And is there a report in Helm that gets filled out for those? A. Yes, sir. Q. What's that called?	5 6 7 8	rudders to go hard over? MR. RODGERS: Objection. A. I've never I've never had that occur in my history of sailing.
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7 8 9 10	Q. And is there a report in Helm that gets filled out for those? A. Yes, sir. Q. What's that called? A. I would have to reference it, but I believe it's called Navigation Assessment.	5 6 7 8 9	rudders to go hard over? MR. RODGERS: Objection. A. I've never I've never had that occur in my history of sailing. Q. You're talking about your own A. Yes.
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7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q. And is there a report in Helm that gets filled out for those? A. Yes, sir. Q. What's that called? A. I would have to reference it, but I believe it's called Navigation Assessment. Q. And it does it have its like own section in the safety management system? A. It has its own section in forms, under Helm. Q. Okay. Has the company ever disciplined anyone for failing to comply with your safety procedures related to bridge transits? A. Not that I'm aware of. Q. What about lookout postings? A. Not that I'm aware of. Q. What about use of the auto pilot? A. Also, not that I'm aware of.	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	rudders to go hard over? MR. RODGERS: Objection. A. I've never I've never had that occur in my history of sailing. Q. You're talking about your own A. Yes. Q history of operating towing vessels, right? A. Yes. Q. Okay. So you never experienced that? A. No, sir. Q. So you would say it's not normal, in your experience? MR. RODGERS: Well, he just A. Correct. MR. RODGERS: His testimony was that he didn't experience it. Not normal to him. THE WITNESS: It's not normal to me,

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			April 28, 2025
1	Page 354	1	Page 356 Moore - April 28, 2025
1 2	Moore - April 28, 2025 MR. RODGERS: All right. Sorry. I	1 2	Q. So my question was would you expect a
3	don't want to put anything out there.	3	properly trained crew to avoid striking a stationary
4	Q. Does safely transiting under bridges	4	object like a bridge?
5		5	(DIR)
6	require any specific training beyond general vessel handling?	6	MR. RODGERS: Objection. That's
7		7	harassing the witness.
8	,	8	5
9	Q. So anyone that can handle a vessel shouldn't have any problem getting a vessel under a	9	Don't answer that. A. I've
			MR. RODGERS: I said don't
10	bridge?	10	
11	A. It all depends on the size of the bridge	11	·
12	opening, but there's it's a common it's very	12	MR. RODGERS: Don't answer that. That
13	common in the industry, so it's not an	13	means don't answer that. Nothing.
14	abnormal event.	14	MR. CHAPMAN: So your
15	Q. Are you aware of any industry or best	15	MR. RODGERS: Directing the witness not
16	practices that recommend posting additional lookouts	16	to answer.
17	when transiting under bridges?	17	MR. CHAPMAN: So your instruction is not
18	A. No, sir, I'm not.	18	to answer?
19	Q. Is it consistent with good seamanship to	19	MR. RODGERS: I'm directing the witness,
20	rely on an auto pilot while approaching a bridge?	20	yes, not to answer whether it's good policy to
21	MR. RODGERS: Objection. He's not here	21	hit a bridge.
22	as an expert witness.	22	MR. CHAPMAN: So I don't have any
23	A. It's up to the offshore and the watch	23	further questions at this time. I'm reserving
24	and their judgment.	24	my right, as the judge provided, with respect to
25	Q. In your experience just talking about	25	any documents that you guys produce within the
	Page 355		Page 357
1	Moore - April 28, 2025	1	Moore - April 28, 2025
2	your experience have you transited bridges while	2	timeframe he allowed at the hearing on Friday.
3	on auto pilot?	3	MR. RODGERS: Yeah, I that's fine. I
4	MR. RODGERS: Objection.	4	just want to put on the record we'd like any
5	A. It's been a while. I would have to	5	followup to be virtual or here, or at least me
6	recall it, but I've used both auto pilots, enhanced	6	and the witness here, if you want to Zoom from
7	steering in all different areas of the Atlantic	7	Norfolk, but we can work that out.
8	seaboard.	8	Are you going to put you didn't make
9	Q. And so you're saying that you actually	9	any demands to counsel. Are you going to put
10	have used auto pilot when transiting bridges?	10	the stuff in writing that you were asking him
11	MR. RODGERS: Objection.	11	for, like soon?
12	A. No, I not that I recall.	12	MR. CHAPMAN: Yeah. I'll just
13	Q. Has it ever been company policy while	13	MR. RODGERS: Or is Mackenzie going to
14	you have been general manager at Carver to require a	14	do it?
15	dedicated lookout while transiting bridges?	15	MR. CHAPMAN: I think we've previously
16	A. No, sir, not that I know of. Not that	16	done that, but to the extent that
17	I'm aware of.	17	MR. RODGERS: Oh, you think that
18	Q. Would you expect a properly trained crew	18	MR. CHAPMAN: to the extent there's
	to avoid hitting a bridge or alliding a bridge?	19	something else that came up in this deposition,
19			yes
19 20	MR. RODGERS: Objection. Objection.	20	165
		20	MR. RODGERS: Okay.
20	MR. RODGERS: Objection. Objection.		-
20 21	MR. RODGERS: Objection. Objection. It's 7:40 at night, and now you're just	21	MR. RODGERS: Okay.
20 21 22	MR. RODGERS: Objection. Objection. It's 7:40 at night, and now you're just fishing. You're repeating the same question	21 22	MR. RODGERS: Okay. MR. CHAPMAN: we will.

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1	Page 358	1	Page 360
1	Moore - April 28, 2025	1	Moore - April 28, 2025
2	be new. I shot them to you, and we can talk	2	So I'm asking you to the extent that these two are
3	about it and make sure I got it right and send	3	connected.
4	it to them and see what we can get.	4	There's a daily log, April 1st, right?
5	MR. RODGERS: I can't hear. What did he	5	A. Yes, sir.
6	say?	6	Q. And at 9:34, it says 9.2 Near Miss
7	MR. CHAPMAN: I think he was saying	7	Report.
8	MR. NANAVATI: I said I put together a	8	Do you see?
9	list of things	9	A. Yes, sir.
10	MR. RODGERS: I don't know who that is.	10	Q. And that was before Ayers came on board
11	Who is that?	11	to do their work, correct?
12	MR. CHAPMAN: Nanavati.	12	A. Yes, sir.
13	MR. RODGERS: Oh, Mark. Okay. What is	13	Q. Okay. And then just assuming for this
14	he saying?	14	deposition that Exhibit 30, a near miss report which
15	MR. NANAVATI: You guys were talking	15	has a receipt date I guess by you, 4/19/2024, right?
16	about documents that may have come up during the	16	A. Yes, sir.
17	deposition. I tried to make a list during the	17	Q. Assuming that that relates back to 4/1,
18	course. I said I'll send them to Jim so we can	18	April 1st, if you look at 1.1, Near Miss Subject, it
19	review them and get that list to you.	19	says Loss of satellite compass. Right?
20	MR. RODGERS: Okay. Thanks.	20	A. Yes, sir.
21	All right. I just have some follow-up	21	Q. It doesn't say failure of auto pilot,
22	questions.	22	does it?
23	THE WITNESS: Okay.	23	A. No.
24	MR. RODGERS: Only should take two	24	Q. And the same with description of near
25	hours. No. You're not laughing.	25	miss, it says Satellite compass failed causing the
	Page 359		Page 361
1	Moore - April 28, 2025	1	Moore - April 28, 2025
2	EXAMINATION BY MR. RODGERS:	2	auto pilot to go into standby and hard right to heavy
3	Q. So if you could just go to let me	3	seas. Correct?
4	find the exhibit number. For example, Exhibit 13.	4	A. Yes, sir.
5	A. Okay.	5	Q. Now, in the other ones you were shown
6	Q. So if you look at Exhibit 13, which is	6	the near miss reports, there were some where it had a
7	Carver 79 to 82, that last document, the typewritten	7	subject area of 1.1 that stated auto pilot failure,
8			
١ .	state what appears to be a typewritten statement	8	right?
9	on Carver letterhead, had you seen that before today?	9	right? A. Yes, sir.
10	on Carver letterhead, had you seen that before today? A. The letterhead or the statement?	9 10	right? A. Yes, sir. Q. So would you assume that in the one
10 11	on Carver letterhead, had you seen that before today? A. The letterhead or the statement? Q. No, the statement.	9 10 11	right? A. Yes, sir. Q. So would you assume that in the one that's Exhibit 30, if there was an auto pilot
10 11 12	on Carver letterhead, had you seen that before today? A. The letterhead or the statement? Q. No, the statement. A. No, I don't recall seeing these.	9 10 11 12	right? A. Yes, sir. Q. So would you assume that in the one that's Exhibit 30, if there was an auto pilot failure, it would say that in the 1.1 section?
10 11 12 13	on Carver letterhead, had you seen that before today? A. The letterhead or the statement? Q. No, the statement. A. No, I don't recall seeing these. Q. Okay. Other than what your attorneys	9 10 11 12 13	right? A. Yes, sir. Q. So would you assume that in the one that's Exhibit 30, if there was an auto pilot failure, it would say that in the 1.1 section? MR. CHAPMAN: Object to form.
10 11 12 13 14	on Carver letterhead, had you seen that before today? A. The letterhead or the statement? Q. No, the statement. A. No, I don't recall seeing these. Q. Okay. Other than what your attorneys A. Right, correct.	9 10 11 12 13 14	right? A. Yes, sir. Q. So would you assume that in the one that's Exhibit 30, if there was an auto pilot failure, it would say that in the 1.1 section? MR. CHAPMAN: Object to form. Q. You can answer.
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10 11 12 13 14 15 16 17 18 19 20 21	On Carver letterhead, had you seen that before today? A. The letterhead or the statement? Q. No, the statement. A. No, I don't recall seeing these. Q. Okay. Other than what your attorneys A. Right, correct. Q you hadn't seen it before? A. No, sir. Q. Okay. But on the handwritten one, did you recall seeing it at the time of the investigation? A. Yes. Q. Okay. All right. If you go to	9 10 11 12 13 14 15 16 17 18 19 20 21	right? A. Yes, sir. Q. So would you assume that in the one that's Exhibit 30, if there was an auto pilot failure, it would say that in the 1.1 section? MR. CHAPMAN: Object to form. Q. You can answer. A. Yes, it would be stated. Q. Okay. And it's not, right? MR. CHAPMAN: Objection. A. No. Well, it would this one says loss of satellite compass. Q. But notwithstanding that, in a few days later, April 3rd, 4th and 5th, you brought in
10 11 12 13 14 15 16 17 18 19 20 21	on Carver letterhead, had you seen that before today? A. The letterhead or the statement? Q. No, the statement. A. No, I don't recall seeing these. Q. Okay. Other than what your attorneys A. Right, correct. Q you hadn't seen it before? A. No, sir. Q. Okay. But on the handwritten one, did you recall seeing it at the time of the investigation? A. Yes. Q. Okay. All right. If you go to Exhibit 30 and 31.	9 10 11 12 13 14 15 16 17 18 19 20 21 22	right? A. Yes, sir. Q. So would you assume that in the one that's Exhibit 30, if there was an auto pilot failure, it would say that in the 1.1 section? MR. CHAPMAN: Object to form. Q. You can answer. A. Yes, it would be stated. Q. Okay. And it's not, right? MR. CHAPMAN: Objection. A. No. Well, it would this one says loss of satellite compass. Q. But notwithstanding that, in a few days later, April 3rd, 4th and 5th, you brought in Ayers, right?
10 11 12 13 14 15 16 17 18 19 20 21 22 23	on Carver letterhead, had you seen that before today? A. The letterhead or the statement? Q. No, the statement. A. No, I don't recall seeing these. Q. Okay. Other than what your attorneys A. Right, correct. Q you hadn't seen it before? A. No, sir. Q. Okay. But on the handwritten one, did you recall seeing it at the time of the investigation? A. Yes. Q. Okay. All right. If you go to Exhibit 30 and 31. A. Okay.	9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	right? A. Yes, sir. Q. So would you assume that in the one that's Exhibit 30, if there was an auto pilot failure, it would say that in the 1.1 section? MR. CHAPMAN: Object to form. Q. You can answer. A. Yes, it would be stated. Q. Okay. And it's not, right? MR. CHAPMAN: Objection. A. No. Well, it would this one says loss of satellite compass. Q. But notwithstanding that, in a few days later, April 3rd, 4th and 5th, you brought in Ayers, right? A. Yes, sir.
10 11 12 13 14 15 16 17 18 19 20 21	on Carver letterhead, had you seen that before today? A. The letterhead or the statement? Q. No, the statement. A. No, I don't recall seeing these. Q. Okay. Other than what your attorneys A. Right, correct. Q you hadn't seen it before? A. No, sir. Q. Okay. But on the handwritten one, did you recall seeing it at the time of the investigation? A. Yes. Q. Okay. All right. If you go to Exhibit 30 and 31.	9 10 11 12 13 14 15 16 17 18 19 20 21 22	right? A. Yes, sir. Q. So would you assume that in the one that's Exhibit 30, if there was an auto pilot failure, it would say that in the 1.1 section? MR. CHAPMAN: Object to form. Q. You can answer. A. Yes, it would be stated. Q. Okay. And it's not, right? MR. CHAPMAN: Objection. A. No. Well, it would this one says loss of satellite compass. Q. But notwithstanding that, in a few days later, April 3rd, 4th and 5th, you brought in Ayers, right?

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1	Page 362 Moore - April 28, 2025	1	Page 364 Moore - April 28, 2025
2	A. Okay. 24.	2	A. Okay.
3	Q. If you go to the second it's Bates	3	Q. And again, we're just assuming that
4	stamp Carver Bates stamp 249 and 250, right?	4	Exhibit 26 is for the April the May 3rd date,
5	You see that?	5	right?
6	A. Where am I looking at?	6	A. Yes, sir.
7	Q. Over here. Sorry, these numbers.	7	Q. Now, if you go to 1.1, could you read
8	Those	8	both columns.
9	A. Oh. Yes, sir. Yeah. Sorry, there it	9	A. Lost steering rudder, hard over.
10	is.	10	Q. And to the left, what does it say?
11	Q. Those are just for the lawyers,	11	A. Oh. To the left of that is near miss
12	actually, but they're both Exhibit 24.	12	subject.
13	If you go to the second page which seems	13	Q. Okay. Is there anywhere in 1.1 that it
14	to reflect a work order for April 10th and	14	says failure of auto pilot?
15	April 11th.	15	A. No, sir.
16	Do you see that on the left side?	16	Q. Okay. Can you read the description of
17	A. Yes, sir.	17	1.5.
18	Q. Okay. And if I'm reading it correctly,	18	A. Yeah. Description of Near Miss. While
19	it says Updated software and auto pilot.	19	transiting southbound, the captain was entering
20	Do you see that?	20	MR. RODGERS: You got to go a little
21	A. Yes.	21	slower for the reporter.
22	Q. And it replaced solid state relays with	22	A was entering information into the
23	mechanical ones, right?	23	electronic log, when the steering went into standby
24	A. Yes.	24	and the rudder came hard over without alarm.
25	Q. And then the technician says May have	25	By the time the captain realized the
1	Page 363 Moore - April 28, 2025	1	Page 365 Moore - April 28, 2025
2	caused the caused issue. Right?	2	situation, we were steaming full ahead at the loaded
3	A. Yes.	3	barge.
4	Q. Was it your understanding, after Ayers	4	The captain pulled back power so that
5	put in the new software and worked on the auto pilot	5	the rudder would respond, and it came away from the
6	system on the MACKENZIE ROSE in April, that they had	6	barge within a few feet to spare.
7	fixed the problem?	7	The wire dragged on the bottom and
8	A. Yes, sir.	8	sustained minimal damage.
9	MR. CHAPMAN: Object to the form.	9	Q. Okay. Is there anything in that
10	Q. Okay. And if you could go to 26 and 27.	10	paragraph that refers to the auto pilot?
11	A. Okay.	11	A. No, sir.
12	Q. 27 is the daily log for the MACKENZIE	12	Q. Okay. And then Actions Taken to Prevent
13	ROSE on May 3rd, 2024, correct?	13	Repeat of Incident, 1.6, could you read that.
14	A. Yes, sir.	14	A. Stand a diligent watch, be aware of
15	Q. And if you go to the second page and	15	system failures without alarms, keep equipment in
16	just for the lawyers, it's and the reporter, it's	16	work proper working order.
17	Carver 30 through Carver 32 is Exhibit 27.	17	Q. Okay. Is there anything in that
18	If you go to the second page at 12:35,	18	paragraph that mentions auto pilot?
19	it says 9.2 Near Miss Report. Correct?	19	A. No, sir.
	A. Yes, sir.	20	Q. Okay. Thank you.
20	Q. Now again, assuming 26, Exhibit 26,	21	MR. RODGERS: Now, I think that might be
20 21	X. 1.011 "ZOTILL ODDUMITIZ TO! EVITATE TO!		it, but give me a second.
21	which is Carver 41 and 42, assuming that that is the	1 22	
21 22	which is Carver 41 and 42, assuming that that is the near miss report for April for excuse me. for	22	_
21 22 23	near miss report for April for excuse me, for	23	Okay. I have no further questions.
21 22	_		_

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 2
                 MR. RODGERS: Jim?
 3
                 MR. CHAPMAN: No, other than as stated
 4
          before, reserve our rights.
 5
                 MR. RODGERS: Mark?
 6
                 MR. NANAVATI: No, I'm good.
 7
                 THE VIDEOGRAPHER: This is the end of
 8
          the video deposition of Brian Moore. The time
 9
          is 7:53 p.m.
10
                 (Time noted: 7:53 p.m.)
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
                                                  Page 367
                  CERTIFICATION
 1
 3
     STATE OF NEW YORK
 4
                                 ss:
 5
     COUNTY OF WESTCHESTER
 6
 8
           I, LORRAINE B. ABATE, a Certified Shorthand
    Reporter and Notary Public of the State of New York
10
     and Registered Professional Reporter, do hereby
     certify the foregoing to be a true and accurate
11
     transcript of my original stenographic notes taken of
12
13
     Brian Moore at the time and place hereinbefore set
14
     forth.
15
          I further certify that I am not related, by
    blood or marriage, to any of the parties in this
16
     matter and that I am in no way interested in the
17
18
     outcome of this matter.
19
20
     Dated: May 9, 2025
21
22
23
                  Lorraine B. abate
2.4
                     LORRAINE B. ABATE, CSR, RPR
                     License No. 000965
25
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